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1 **SECTION 79.** 100.261 (1) of the statutes is amended to read:

2 100.261 (1) If a court imposes a fine or forfeiture for a violation of this chapter,
3 ch. 98, a rule promulgated under this chapter or ch. 98, or an ordinance enacted
4 under this chapter or ch. 98, the court shall also impose a consumer protection
5 ~~assessment~~ surcharge under ch. 814 in an amount equal to 25% of the fine or
6 forfeiture imposed. If multiple violations are involved, the court shall base the
7 consumer protection ~~assessment~~ surcharge upon the ~~the~~ total of the fine or forfeiture
8 amounts for all violations. If a fine or forfeiture is suspended in whole or in part, the
9 court shall reduce the ~~assessment~~ surcharge in proportion to the suspension.

10 **SECTION 80.** 100.261 (2) of the statutes is amended to read:

11 100.261 (2) If any deposit is made for a violation to which this section applies,
12 the person making the deposit shall also deposit a sufficient amount to include the
13 consumer protection ~~assessment~~ required surcharge under this section. If the
14 deposit is forfeited, the amount of the consumer protection ~~assessment~~ surcharge
15 shall be transmitted to the state treasurer under sub. (3). If the deposit is returned,
16 the consumer protection ~~assessment~~ surcharge shall also be returned.

17 **SECTION 81.** 100.261 (3) (a) of the statutes is amended to read:

18 100.261 (3) (a) The clerk of court shall collect and transmit the consumer
19 protection ~~assessment~~ amounts surcharges imposed under ch. 814 to the county
20 treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to
21 the state treasurer under s. 59.25 (3) (f) 2.

22 **SECTION 82.** 100.261 (3) (b) of the statutes is amended to read:

23 100.261 (3) (b) The state treasurer shall deposit the consumer protection
24 ~~assessment~~ amounts surcharges imposed under ch. 814 in the general fund and shall

BILL

1 credit them to the appropriation account under s. 20.115 (1) (jb), subject to the limit
2 under par. (c).

3 **SECTION 83.** 102.01 (2) (i) of the statutes is renumbered 102.01 (2) (jm) and
4 amended to read:

5 102.01 (2) (jm) “Uninsured employer assessment surcharge” means the
6 ~~assessment imposed~~ surcharge under s. 102.85 (4).

7 **SECTION 84.** 102.80 (1) (b) of the statutes is amended to read:

8 102.80 (1) (b) Uninsured employer ~~assessments~~ surcharges collected under s.
9 102.85 (4).

10 **SECTION 85.** 102.85 (4) of the statutes is amended to read:

11 102.85 (4) (a) If a court imposes a fine or forfeiture under subs. (1) to (3), the
12 court shall impose under ch. 814 an uninsured employer ~~assessment~~ surcharge equal
13 to 75% of the amount of the fine or forfeiture.

14 (b) If a fine or forfeiture is suspended in whole or in part, the uninsured
15 employer ~~assessment~~ surcharge shall be reduced in proportion to the suspension.

16 (c) If any deposit is made for an offense to which this section applies, the person
17 making the deposit shall also deposit a sufficient amount to include the uninsured
18 employer ~~assessment prescribed in~~ surcharge under this section. If the deposit is
19 forfeited, the amount of the uninsured employer ~~assessment~~ surcharge shall be
20 transmitted to the state treasurer under par. (d). If the deposit is returned, the
21 uninsured employer ~~assessment~~ surcharge shall also be returned.

22 (d) The clerk of the court shall collect and transmit to the county treasurer the
23 uninsured employer ~~assessment~~ surcharge and other amounts required under s.
24 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer
25 as provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the

BILL

1 uninsured employer assessment surcharge, together with any interest thereon, in
2 the uninsured employers fund as provided in s. 102.80 (1).

3 **SECTION 86.** 102.85 (5) (a) of the statutes is amended to read:

4 102.85 (5) (a) The payment of any judgment under this section may be
5 suspended or deferred for not more than 90 days in the discretion of the court. The
6 court shall suspend a judgment under this section upon the motion of the
7 department, if the department is satisfied that the employer's violation of s. 102.16
8 (3) or 102.28 (2) was beyond the employer's control and that the employer no longer
9 violates s. 102.16 (3) or 102.28 (2). In cases where a deposit has been made, any
10 forfeitures, ~~penalty assessments, jail assessments, uninsured employer assessments~~
11 surcharges, fees, and costs imposed under ch. 814 shall be taken out of the deposit
12 and the balance, if any, returned to the employer.

13 **SECTION 87.** 102.87 (2) (e) of the statutes is amended to read:

14 102.87 (2) (e) The maximum forfeiture, ~~penalty assessment, jail assessment,~~
15 ~~crime laboratories and drug law enforcement assessment and any applicable~~
16 ~~uninsured employer assessment~~ plus costs, fees, and surcharges imposed under ch.
17 814, for which the defendant is liable.

18 **SECTION 88.** 102.87 (2) (g) of the statutes is amended to read:

19 102.87 (2) (g) Notice that if the defendant makes a deposit and fails to appear
20 in court at the time specified in the citation, the failure to appear will be considered
21 tender of a plea of no contest and submission to a forfeiture, ~~penalty assessment, jail~~
22 ~~assessment, crime laboratories and drug law enforcement assessment and any~~
23 ~~applicable uninsured employer assessment~~ plus costs, fees, and surcharges imposed
24 under ch. 814, not to exceed the amount of the deposit. The notice shall also state
25 that the court, instead of accepting the deposit and plea, may decide to summon the

BILL

1 defendant or may issue an arrest warrant for the defendant upon failure to respond
2 to a summons.

3 **SECTION 89.** 102.87 (2) (h) of the statutes is amended to read:

4 102.87 (2) (h) Notice that if the defendant makes a deposit and signs the
5 stipulation, the stipulation will be treated as a plea of no contest and submission to
6 a forfeiture, ~~penalty assessment, jail assessment, crime laboratories and drug law~~
7 ~~enforcement assessment and any applicable uninsured employer assessment~~ plus
8 costs, fees, and surcharges imposed under ch. 814, not to exceed the amount of the
9 deposit. The notice shall also state that the court, instead of accepting the deposit
10 and stipulation, may decide to summon the defendant or issue an arrest warrant for
11 the defendant upon failure to respond to a summons, and that the defendant may,
12 at any time before or at the time of the court appearance date, move the court for
13 relief from the effect of the stipulation.

14 **SECTION 90.** 102.87 (3) of the statutes is amended to read:

15 102.87 (3) A defendant issued a citation under this section may deposit the
16 amount of money that the issuing department deputy or officer directs by mailing or
17 delivering the deposit and a copy of the citation before the court appearance date to
18 the clerk of the circuit court in the county where the violation occurred, to the
19 department, or to the sheriff's office or police headquarters of the officer who issued
20 the citation. The basic amount of the deposit shall be determined under a deposit
21 schedule established by the judicial conference. The judicial conference shall
22 annually review and revise the schedule. In addition to the basic amount determined
23 by the schedule, the deposit shall include the ~~penalty assessment, jail assessment,~~
24 ~~crime laboratories and drug law enforcement assessment, any applicable uninsured~~
25 ~~employer assessment and~~ costs, fees, and surcharges imposed under ch. 814.

BILL

SECTION 91. 102.87 (5) of the statutes is amended to read:

102.87 (5) Except as provided by sub. (6), a person receiving a deposit shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of the circuit court regarding the disposition of the deposit, and notifying the defendant that if he or she fails to appear in court at the time specified in the citation he or she shall be considered to have tendered a plea of no contest and submitted to a forfeiture, ~~penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment and any applicable uninsured employer assessment~~ plus costs, fees, and surcharges imposed under ch. 814, not to exceed the amount of the deposit and that the court may accept the plea. The original of the receipt shall be delivered to the defendant in person or by mail. If the defendant pays by check, the canceled check is the receipt.

SECTION 92. 102.87 (6) of the statutes is amended to read:

102.87 (6) The person receiving a deposit and stipulation of no contest shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of the circuit court regarding the disposition of the deposit, and notifying the defendant that if the stipulation of no contest is accepted by the court the defendant will be considered to have submitted to a forfeiture, ~~penalty assessment, jail assessment, crime laboratories and drug law enforcement assessment and applicable uninsured employer assessment~~ plus costs, fees, and surcharges imposed under ch. 814, not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as provided in sub. (5).

SECTION 93. 102.87 (7) (b) of the statutes is amended to read:

BILL

1 102.87 (7) (b) If the defendant has made a deposit, the citation may serve as
2 the initial pleading and the defendant shall be considered to have tendered a plea
3 of no contest and submitted to a forfeiture, ~~penalty assessment, jail assessment,~~
4 ~~crime laboratories and drug law enforcement assessment and any applicable~~
5 ~~uninsured employer assessment~~ plus costs, fees, and surcharges imposed under ch.
6 814, not to exceed the amount of the deposit. The court may either accept the plea
7 of no contest and enter judgment accordingly, or reject the plea and issue a summons.
8 If the defendant fails to appear in response to the summons, the court shall issue an
9 arrest warrant. If the court accepts the plea of no contest, the defendant may, within
10 90 days after the date set for appearance, move to withdraw the plea of no contest,
11 open the judgment, and enter a plea of not guilty if the defendant shows to the
12 satisfaction of the court that failure to appear was due to mistake, inadvertence,
13 surprise, or excusable neglect. If a defendant is relieved from the plea of no contest,
14 the court may order a written complaint or petition to be filed. If on reopening the
15 defendant is found not guilty, the court shall delete the record of conviction and shall
16 order the defendant's deposit returned.

17 **SECTION 94.** 102.87 (7) (c) of the statutes is amended to read:

18 102.87 (7) (c) If the defendant has made a deposit and stipulation of no contest,
19 the citation serves as the initial pleading and the defendant shall be considered to
20 have tendered a plea of no contest and submitted to a forfeiture, ~~penalty assessment,~~
21 ~~jail assessment, crime laboratories and drug law enforcement assessment and any~~
22 ~~applicable uninsured employer assessment~~ plus costs, fees, and surcharges imposed
23 under ch. 814, not to exceed the amount of the deposit. The court may either accept
24 the plea of no contest and enter judgment accordingly, or reject the plea and issue a
25 summons or an arrest warrant. After signing a stipulation of no contest, the

BILL

1 defendant may, at any time before or at the time of the court appearance date, move
2 the court for relief from the effect of the stipulation. The court may act on the motion,
3 with or without notice, for cause shown by affidavit and upon just terms, and relieve
4 the defendant from the stipulation and the effects of the stipulation.

5 **SECTION 95.** 102.87 (9) of the statutes is amended to read:

6 102.87 (9) A department deputy or an officer who collects a forfeiture, penalty
7 ~~assessment, jail assessment, crime laboratories and drug law enforcement~~
8 ~~assessment, applicable uninsured employer assessment~~ and costs, fees, and
9 surcharges imposed under ch. 814 under this section shall pay the money to the
10 county treasurer within 20 days after its receipt. If the department deputy or officer
11 fails to make timely payment, the county treasurer may collect the payment from the
12 department deputy or officer by an action in the treasurer's name of office and upon
13 the official bond of the department deputy or officer, with interest at the rate of 12%
14 per year from the time when it should have been paid.

15 **SECTION 96.** 148.04 (3) of the statutes is amended to read:

16 148.04 (3) "Liability" includes the obligation to pay a judgment, settlement,
17 penalty, ~~assessment~~, forfeiture, or fine, including any excise tax assessed with
18 respect to an employee benefit plan, plus costs, fees, and surcharges imposed under
19 ch. 814, and reasonable expenses.

20 **SECTION 97.** 165.755 (title) of the statutes is amended to read:

21 **165.755 (title) Crime laboratories and drug law enforcement**
22 **assessment surcharge.**

23 **SECTION 98.** 165.755 (1) (a) of the statutes is amended to read:

24 165.755 (1) (a) Except as provided in par. (b), a court shall impose under ch. 814
25 a crime laboratories and drug law enforcement ~~assessment~~ surcharge of \$5 if the

BILL

1 court imposes a sentence, places a person on probation, or imposes a forfeiture for a
2 violation of state law or for a violation of a municipal or county ordinance.

3 **SECTION 99.** 165.755 (1) (b) of the statutes is amended to read:

4 165.755 (1) (b) A court may not impose the crime laboratories and drug law
5 enforcement assessment surcharges under par. (a) for a violation of s. 101.123 (2) (a),
6 (am) 1., (ar), (bm), or (br) or (5) (b) or for a violation of a state law or municipal or
7 county ordinance involving a nonmoving traffic violation or a safety belt use violation
8 under s. 347.48 (2m).

9 **SECTION 100.** 165.755 (2) of the statutes is amended to read:

10 165.755 (2) If the court under sub. (1) (a) imposes a sentence or forfeiture for
11 multiple offenses or places a person on probation for multiple offenses, a separate
12 crime laboratories and drug law enforcement ~~assessment~~ surcharges shall be imposed
13 under ch. 814 for each separate offense.

14 **SECTION 101.** 165.755 (5) of the statutes is amended to read:

15 165.755 (5) If any deposit of bail is made for a noncriminal offense to which sub.
16 (1) (a) applies, the person making the deposit shall also deposit a sufficient amount
17 to include the ~~assessment prescribed in~~ surcharges under sub. (1) (a) for forfeited bail.
18 If bail is forfeited, the amount of the ~~assessment~~ surcharges under sub. (1) (a) shall
19 be transmitted monthly to the state treasurer under this section. If bail is returned,
20 the ~~assessment~~ surcharges shall also be returned.

21 **SECTION 102.** 165.755 (6) of the statutes is amended to read:

22 165.755 (6) If an inmate in a state prison or a person sentenced to a state prison
23 has not paid the crime laboratories and drug law enforcement ~~assessment~~ surcharges
24 under sub. (1) (a), the department shall assess and collect the amount owed from the

BILL

1 inmate's wages or other moneys. Any amount collected shall be transmitted to the
2 state treasurer.

3 **SECTION 103.** 165.755 (7) of the statutes is amended to read:

4 165.755 (7) All moneys collected from crime laboratories and drug law
5 enforcement ~~assessments~~ surcharges under this section shall be deposited by the
6 state treasurer and used as specified in s. 20.455 (2) (kd) and (Lm).

7 **SECTION 104.** 167.31 (5) of the statutes is amended to read:

8 167.31 (5) ~~WEAPONS ASSESSMENT~~ SURCHARGE. (a) If a court imposes a fine or
9 forfeiture for a violation of this section, the court shall also impose a weapons
10 ~~assessment~~ surcharge under ch. 814 equal to 75% of the amount of the fine or
11 forfeiture.

12 (b) If a fine or forfeiture is suspended in whole or in part, the weapons
13 ~~assessment~~ surcharge shall be reduced in proportion to the suspension.

14 (c) If any deposit is made for an offense to which this subsection applies, the
15 person making the deposit shall also deposit a sufficient amount to include the
16 weapons ~~assessment~~ surcharge under this subsection. If the deposit is forfeited, the
17 amount of the weapons ~~assessment~~ surcharge shall be transmitted to the state
18 treasurer under par. (d). If the deposit is returned, the amount of the weapons
19 ~~assessment~~ surcharge shall also be returned.

20 (d) The clerk of the circuit court shall collect and transmit to the county
21 treasurer the weapons ~~assessment~~ surcharge as required under s. 59.40 (2) (m). The
22 county treasurer shall then pay the state treasurer as provided in s. 59.25 (3) (f) 2.
23 The state treasurer shall deposit all amounts received under this paragraph in the
24 conservation fund to be appropriated under s. 20.370 (3) (mu).

25 **SECTION 105.** 169.46 of the statutes is amended to read:

BILL

1 **169.46 Natural resources assessments surcharges and restitution**
2 **payments surcharges**. (1) NATURAL RESOURCES ASSESSMENTS SURCHARGES. (a) If
3 a court imposes a fine or forfeiture for a violation of this chapter or a rule
4 promulgated under this chapter, the court shall impose a natural resources
5 assessment surcharge under ch. 814 equal to 75% of the amount of the fine or
6 forfeiture.

7 (b) If a fine or forfeiture is suspended in whole or in part, the natural resources
8 assessment surcharge shall be reduced in proportion to the suspension.

9 (c) If any deposit is made for an offense to which this subsection applies, the
10 person making the deposit shall also deposit a sufficient amount to include the
11 natural resources assessment ~~prescribed in~~ surcharge under this subsection. If the
12 deposit is forfeited, the amount of the natural resources assessment surcharge shall
13 be transmitted to the state treasurer under par. (d). If the deposit is returned, the
14 natural resources assessment surcharge shall also be returned.

15 (d) The clerk of the court shall collect and transmit to the county treasurer the
16 natural resources assessment surcharge and other amounts required under s. 59.40
17 (2) (m). The county treasurer shall then make payment to the state treasurer as
18 provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the
19 natural resources assessment surcharge in the conservation fund.

20 (e) All moneys collected from natural resources assessments surcharges shall
21 be deposited in the conservation fund and credited to the appropriation under s.
22 20.370 (3) (mu).

23 **(2) NATURAL RESOURCES RESTITUTION ~~PAYMENTS~~ SURCHARGES**. (a) If a court
24 imposes a fine or forfeiture for a violation of this chapter for failure to obtain a license
25 required under this chapter, the court shall impose a natural resources restitution

BILL

1 payment surcharge under ch. 814 equal to the amount of the fee for the license that
2 was required and should have been obtained.

3 (b) If a fine or forfeiture is suspended in whole or in part, the natural resources
4 restitution payment surcharge shall be reduced in proportion to the suspension
5 unless the court directs otherwise.

6 (c) If any deposit is made for an offense to which this subsection applies, the
7 person making the deposit shall also deposit a sufficient amount to include the
8 natural resources restitution ~~payment prescribed in~~ surcharge under this
9 subsection. If the deposit is forfeited, the amount of the natural resources restitution
10 payment surcharge shall be transmitted to the state treasurer under par. (d). If the
11 deposit is returned, the natural resources restitution ~~payment~~ surcharge shall also
12 be returned.

13 (d) The clerk of the court shall collect and transmit to the county treasurer the
14 natural resources restitution ~~payment~~ surcharge and other amounts required under
15 s. 59.40 (2) (m). The county treasurer shall then make payment to the state treasurer
16 as provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the
17 natural resources restitution ~~payment~~ surcharge in the conservation fund.

18 (e) All moneys collected from natural resources restitution ~~payments~~
19 surcharges shall be deposited in the conservation fund and credited to the
20 appropriation account under s. 20.370 (3) (mu).

21 **SECTION 106.** 180.0850 (4) of the statutes is amended to read:

22 180.0850 (4) "Liability" includes the obligation to pay a judgment, settlement,
23 ~~penalty, assessment, forfeiture, or fine,~~ including an excise tax assessed with respect
24 to an employee benefit plan, plus costs, fees, and surcharges imposed under ch. 814,
25 and reasonable expenses.

BILL

1 **SECTION 107.** 181.0871 (4) of the statutes is amended to read:

2 181.0871 (4) “Liability” includes the obligation to pay a judgment, settlement,
3 ~~penalty, assessment, forfeiture, or fine, including any excise tax assessed with~~
4 respect to an employee benefit plan, plus costs, fees, and surcharges imposed under
5 ch. 814, and reasonable expenses.

6 **SECTION 108.** 183.0403 (1) (b) of the statutes is amended to read:

7 183.0403 (1) (b) “Liabilities” include the obligation to pay a judgment,
8 settlement, ~~penalty, assessment, forfeiture, or fine, including an excise tax assessed~~
9 with respect to an employee benefit plan, plus costs, fees, and surcharges imposed
10 under ch. 814, and reasonable expenses.

11 **SECTION 109.** 185.034 (4) of the statutes is amended to read:

12 185.034 (4) “Liability” includes the obligation to pay a judgment, settlement,
13 ~~penalty, assessment, forfeiture, or fine, including any excise tax assessed with~~
14 respect to an employee benefit plan, plus costs, fees, and surcharges imposed under
15 ch. 814, and reasonable expenses.

16 **SECTION 110.** 186.082 (4) of the statutes is amended to read:

17 186.082 (4) “Liability” includes the obligation to pay a judgment, settlement,
18 ~~penalty, assessment, forfeiture, or fine, including any excise tax assessed with~~
19 respect to an employee benefit plan, plus costs, fees, and surcharges imposed under
20 ch. 814, and reasonable expenses.

21 **SECTION 111.** 187.20 (4) of the statutes is amended to read:

22 187.20 (4) “Liability” includes the obligation to pay a judgment, settlement,
23 ~~penalty, assessment, forfeiture, or fine, including any excise tax assessed with~~
24 respect to an employee benefit plan, plus costs, fees, and surcharges imposed under
25 ch. 814, and reasonable expenses.

BILL

1 **SECTION 112.** 215.512 (3) of the statutes is amended to read:

2 215.512 (3) “Liability” includes the obligation to pay a judgment, settlement,
3 ~~penalty, assessment, forfeiture, or fine, including any excise tax assessed with~~
4 ~~respect to an employee benefit plan, plus costs, fees, and surcharges imposed under~~
5 ~~ch. 814,~~ and reasonable expenses.

6 **SECTION 113.** 221.0626 (3) of the statutes is amended to read:

7 221.0626 (3) “Liability” includes the obligation to pay a judgment, settlement,
8 ~~penalty, assessment, forfeiture, or fine, including an excise tax assessed with respect~~
9 ~~to an employee benefit plan, plus costs, fees, and surcharges imposed under ch. 814,~~
10 ~~and reasonable expenses.~~

11 **SECTION 114.** 221.0626 (3) of the statutes is amended to read:

12 221.0626 (3) “Liability” includes the obligation to pay a judgment, settlement,
13 ~~penalty, assessment, forfeiture, or fine, including an excise tax assessed with respect~~
14 ~~to an employee benefit plan, plus costs, fees, and surcharges imposed under ch. 814,~~
15 ~~and reasonable expenses.~~

16 **SECTION 115.** 253.06 (3) (a) 3. of the statutes is amended to read:

17 253.06 (3) (a) 3. The vendor does not have any outstanding fines, forfeitures,
18 ~~recoupment assessments or enforcement assessments or recoupments, or costs, fees,~~
19 ~~and surcharges imposed under ch. 814,~~ that were levied against that vendor for a
20 violation of this section or for a violation of rules promulgated under this section.
21 This subdivision does not apply if the vendor has contested the fine, forfeiture, or
22 ~~recoupment assessment or enforcement assessment, or costs, fees, and surcharges~~
23 ~~imposed under ch. 814,~~ and has not exhausted administrative or judicial review.

24 **SECTION 116.** 253.06 (3m) (a) 2. of the statutes is amended to read:

BILL

1 253.06 (3m) (a) 2. The entity does not have any outstanding fines, forfeitures,
2 ~~recoupment assessments or enforcement assessments or recoupments, or costs, fees,~~
3 ~~and surcharges imposed under ch. 814,~~ that were levied against that entity for a
4 violation of this section or for a violation of rules promulgated under this section.
5 This subdivision does not apply if the entity has contested the fine, forfeiture, or
6 ~~recoupment assessment or enforcement assessment, or costs, fees, and surcharges~~
7 ~~imposed under ch. 814,~~ and has not exhausted administrative or judicial review.

8 **SECTION 117.** 253.06 (4) (c) 1. of the statutes is amended to read:

9 253.06 (4) (c) 1. Whenever a court imposes a fine, forfeiture, or recoupment for
10 a violation of this subsection or imposes a forfeiture or recoupment for a violation of
11 rules promulgated under sub. (5), the court shall also impose ~~an~~ a supplemental food
12 ~~enforcement assessment~~ surcharge under ch. 814 in an amount of 50% of the fine,
13 forfeiture, or recoupment imposed. If multiple offenses are involved, the court shall
14 base the supplemental food ~~enforcement assessment upon~~ surcharge on the total
15 fine, forfeiture, and recoupment amounts for all offenses. When a fine, forfeiture, or
16 recoupment is suspended in whole or in part, the court shall reduce the supplemental
17 ~~food~~ enforcement assessment surcharge in proportion to the suspension.

18 **SECTION 118.** 299.93 of the statutes is amended to read:

19 **299.93 Environmental assessments surcharge.** (1) If a court imposes a
20 fine or forfeiture for a violation of a provision of this chapter or chs. 280 to 285 or 289
21 to 295 or a rule or order issued under this chapter or chs. 280 to 285 or 289 to 295,
22 the court shall impose an environmental ~~assessment~~ surcharge under ch. 814 equal
23 to 10% of the amount of the fine or forfeiture.

24 (2) If a fine or forfeiture is suspended in whole or in part, the environmental
25 ~~assessment~~ surcharge shall be reduced in proportion to the suspension.

BILL

1 (3) If any deposit is made for an offense to which this section applies, the person
2 making the deposit shall also deposit a sufficient amount to include the
3 environmental ~~assessment prescribed in~~ surchage under this section. If the deposit
4 is forfeited, the amount of the environmental ~~assessment~~ surchage shall be
5 transmitted to the state treasurer under sub. (4). If the deposit is returned, the
6 environmental ~~assessment~~ surchage shall also be returned.

7 (4) The clerk of the court shall collect and transmit to the county treasurer the
8 environmental ~~assessment~~ surchage and other amounts required under s. 59.40 (2)
9 (m). The county treasurer shall then make payment to the state treasurer as
10 provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit the amount of the
11 ~~assessment~~ surchage in the environmental fund.

12 **SECTION 119.** 302.46 (title) of the statutes is amended to read:

13 **302.46 (title) Jail ~~assessment~~ surchage.**

14 **SECTION 120.** 302.46 (1) (a) of the statutes is amended to read:

15 302.46 (1) (a) On or after October 1, 1987, if a court imposes a fine or forfeiture
16 for a violation of state law or for a violation of a municipal or county ordinance except
17 for a violation of s. 101.123 (2) (a), (am) 1., (ar), (bm), or (br) or (5) or state laws or
18 municipal or county ordinances involving nonmoving traffic violations or safety belt
19 use violations under s. 347.48 (2m), the court, in addition, shall impose a jail
20 ~~assessment~~ surchage under ch. 814 in an amount of 1% of the fine or forfeiture
21 imposed or \$10, whichever is greater. If multiple offenses are involved, the court
22 shall determine the jail ~~assessment~~ surchage on the basis of each fine or forfeiture.
23 If a fine or forfeiture is suspended in whole or in part, the court shall reduce the jail
24 ~~assessment~~ surchage in proportion to the suspension.

25 **SECTION 121.** 302.46 (1) (b) of the statutes is amended to read:

BILL

1 302.46 (1) (b) If a fine or forfeiture is imposed by a court of record, after a
2 determination by the court of the amount due for the jail ~~assessment~~ surchage, the
3 clerk of the court shall collect and transmit the jail ~~assessment~~ surchage to the
4 county treasurer as provided in s. 59.40 (2) (n). The county treasurer shall place the
5 amount in the county jail fund as provided in s. 59.25 (3) (g).

6 **SECTION 122.** 302.46 (1) (c) of the statutes is amended to read:

7 302.46 (1) (c) If a fine or forfeiture is imposed by a municipal court, after a
8 determination by the court of the amount due for the jail ~~assessment~~ surchage, the
9 court shall collect and transmit the jail ~~assessment~~ surchage to the county treasurer
10 under s. 800.10 (2). The county treasurer shall place the amount in the county jail
11 fund as provided in s. 59.25 (3) (g).

12 **SECTION 123.** 302.46 (1) (d) of the statutes is amended to read:

13 302.46 (1) (d) If any deposit of bail is made for a noncriminal offense to which
14 this section applies, the person making the deposit shall also deposit a sufficient
15 amount to include the jail ~~assessment prescribed in~~ surchage under this section for
16 forfeited bail. If bail is forfeited, the amount of the jail ~~assessment~~ surchage shall
17 be transmitted to the county treasurer under this section. If bail is returned, the jail
18 ~~assessment~~ surchage shall also be returned.

19 **SECTION 124.** 345.20 (2) (f) of the statutes is amended to read:

20 345.20 (2) (f) Sections 23.50 to 23.85 apply to actions in circuit court to recover
21 forfeitures and weapons ~~assessments~~ surcharges imposed under ch. 814 for
22 violations of s. 167.31 (2) (b), (c), or (d). No points may be assessed against the driving
23 record of a person convicted of a violation of s. 167.31 (2) (b), (c), or (d). The report
24 of conviction shall be forwarded to the department.

25 **SECTION 125.** 345.26 (1) (b) 1. of the statutes is amended to read:

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1 345.26 (1) (b) 1. If the person makes a deposit for a violation of a traffic
2 regulation, the person need not appear in court at the time fixed in the citation, and
3 the person will be deemed to have tendered a plea of no contest and submitted to a
4 forfeiture and a penalty assessment, if required by s. 757.05, a jail assessment, if
5 required by s. 302.46 (1), a truck driver education assessment, if required by s.
6 349.04, a railroad crossing improvement assessment, if required by s. 346.177,
7 346.495 or 346.65 (4r), and a crime laboratories and drug law enforcement
8 assessment, if required by s. 165.755, plus any applicable costs, fees prescribed in,
9 and surcharges imposed under ch. 814, not to exceed the amount of the deposit that
10 the court may accept as provided in s. 345.37; and

11 **SECTION 126.** 345.26 (2) (b) of the statutes is amended to read:

12 345.26 (2) (b) In addition to the amount in par. (a), the deposit shall include
13 court costs, including any applicable fees prescribed in, and surcharges imposed
14 under ch. 814, any applicable penalty assessment, any applicable jail assessment,
15 any applicable truck driver education assessment, any applicable railroad crossing
16 improvement assessment, and any applicable crime laboratories and drug law
17 enforcement assessment.

18 **SECTION 127.** 345.36 (2) (b) of the statutes is amended to read:

19 345.36 (2) (b) Deem the nonappearance a plea of no contest and enter judgment
20 accordingly. If the defendant has posted bond for appearance at that date, the court
21 may also order the bond forfeited. The court shall promptly mail a copy of the
22 judgment to the defendant. The judgment shall allow not less than 20 days from the
23 date thereof for payment of any forfeiture, penalty assessment, jail assessment,
24 railroad crossing improvement assessment, truck driver education assessment,
25 crime laboratories and drug law enforcement assessment, and plus costs, fees, and

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1 surcharges imposed under ch. 814. If the defendant moves to open the judgment
2 within 20 days after the date set for trial, and shows to the satisfaction of the court
3 that the failure to appear was due to mistake, inadvertence, surprise, or excusable
4 neglect, the court shall open the judgment, reinstate the not guilty plea, and set a
5 new trial date. The court may impose costs under s. 814.07. The court shall
6 immediately notify the department to delete the record of conviction based upon the
7 original judgment.

8 **SECTION 128.** 345.37 (1) (b) of the statutes is amended to read:

9 345.37 (1) (b) Deem the nonappearance a plea of no contest and enter judgment
10 accordingly. If the defendant has posted bond for appearance at that date, the court
11 may also order the bond forfeited. The court shall promptly mail a copy or notice of
12 the judgment to the defendant. The judgment shall allow not less than 20 days from
13 the date thereof for payment of any forfeiture, ~~penalty assessment, railroad crossing~~
14 ~~improvement assessment, crime laboratories and drug law enforcement assessment~~
15 ~~and plus costs, fees, and surcharges imposed under ch. 814.~~ If the defendant moves
16 to open the judgment within 6 months after the court appearance date fixed in the
17 citation, and shows to the satisfaction of the court that the failure to appear was due
18 to mistake, inadvertence, surprise, or excusable neglect, the court shall open the
19 judgment, accept a not guilty plea, and set a trial date. The court may impose costs
20 under s. 814.07. The court shall immediately notify the department to delete the
21 record of conviction based upon the original judgment. If the offense involved is a
22 nonmoving traffic violation and the defendant is subject to s. 345.28 (5) (c), a default
23 judgment may be entered and opened as provided in s. 345.28 (5) (c).

24 **SECTION 129.** 345.37 (2) of the statutes is amended to read:

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1 345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may
2 serve as the initial pleading and the defendant shall be deemed to have tendered a
3 plea of no contest and submitted to a forfeiture and a penalty assessment, if required
4 by s. 757.05, a jail assessment, if required by s. 302.46 (1), a truck driver education
5 assessment, if required by s. 349.04, a railroad crossing improvement assessment,
6 if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories and drug
7 law enforcement assessment, if required by s. 165.755, plus costs, including any
8 applicable fees prescribed in, and surcharges imposed under ch. 814, not exceeding
9 the amount of the deposit. The court may either accept the plea of no contest and
10 enter judgment accordingly, or reject the plea and issue a summons under ch. 968.
11 If the defendant fails to appear in response to the summons, the court shall issue a
12 warrant under ch. 968. If the court accepts the plea of no contest, the defendant may
13 move within 6 months after the date set for the appearance to withdraw the plea of
14 no contest, open the judgment, and enter a plea of not guilty upon a showing to the
15 satisfaction of the court that the failure to appear was due to mistake, inadvertence,
16 surprise, or excusable neglect. If on reopening the defendant is found not guilty, the
17 court shall immediately notify the department to delete the record of conviction
18 based on the original proceeding and shall order the defendant's deposit returned.

19 **SECTION 130.** 345.37 (5) of the statutes is amended to read:

20 345.37 (5) Within 5 working days after forfeiture of deposit or entry of default
21 judgment, the official receiving the forfeiture, ~~the penalty assessment, if required by~~
22 ~~s. 757.05, the jail assessment, if required by s. 302.46 (1), the truck driver education~~
23 ~~assessment, if required by s. 349.04, the railroad crossing improvement assessment,~~
24 ~~if required by s. 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug~~
25 ~~law enforcement assessment, if required by s. 165.755, plus costs, fees, and~~

BILL

1 surcharges imposed under ch. 814, shall forward to the department a certification
2 of the entry of default judgment or a judgment of forfeiture.

3 **SECTION 131.** 345.375 (2) of the statutes is amended to read:

4 345.375 (2) Upon default of the defendant corporation or limited liability
5 company or upon conviction, judgment for the amount of the forfeiture, the penalty
6 assessment, if required under s. 757.05, the jail assessment, if required by s. 302.46
7 (1), the truck driver education assessment, if required by s. 349.04, and the crime
8 laboratories and drug law enforcement assessment, if required under s. 165.755,
9 plus costs, fees, and surcharges imposed under ch. 814, shall be entered.

10 **SECTION 132.** 345.47 (title) of the statutes is amended to read:

11 **345.47 (title) Judgment of forfeitures, costs, fees, and assessments**
12 **surcharges.**

13 **SECTION 133.** 345.47 (1) (intro.) of the statutes is amended to read:

14 345.47 (1) (intro.) If the defendant is found guilty, the court may enter
15 judgment against the defendant for a monetary amount not to exceed the maximum
16 forfeiture, ~~penalty assessment, if required by s. 757.05, the jail assessment, if~~
17 ~~required by s. 302.46 (1), the truck driver education assessment, if required by s.~~
18 ~~349.04, the railroad crossing improvement assessment, if required by s. 346.177,~~
19 ~~346.495 or 346.65 (4r), and the crime laboratories and drug law enforcement~~
20 ~~assessment, if required by s. 165.755, provided for the violation and for,~~ plus costs,
21 fees, and surcharges imposed under s. 345.53 ch. 814, and, in addition, may suspend
22 or revoke his or her operating privilege under s. 343.30. If the judgment is not paid,
23 the court shall order:

24 **SECTION 134.** 345.47 (1) (b) of the statutes is amended to read:

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1 345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension
2 or revocation, that the defendant's operating privilege be suspended. The operating
3 privilege shall be suspended for 30 days or until the person pays the forfeiture, the
4 ~~penalty assessment, if required by s. 757.05, the jail assessment, if required by s.~~
5 ~~302.46 (1), the truck driver education assessment, if required by s. 349.04, the~~
6 ~~railroad crossing improvement assessment, if required by s. 346.177, 346.495 or~~
7 ~~346.65 (4r), and the crime laboratories and drug law enforcement assessment, if~~
8 ~~required by s. 165.755~~ plus costs, fees, and surcharges imposed under ch. 814, but
9 not to exceed 2 years. Suspension under this paragraph shall not affect the power
10 of the court to suspend or revoke under s. 343.30 or the power of the secretary to
11 suspend or revoke the operating privilege. This paragraph does not apply if the
12 judgment was entered solely for violation of an ordinance unrelated to the violator's
13 operation of a motor vehicle.

14 **SECTION 135.** 345.47 (1) (c) of the statutes is amended to read:

15 345.47 (1) (c) If a court or judge suspends an operating privilege under this
16 section, the court or judge shall immediately take possession of the suspended license
17 and shall forward it to the department together with the notice of suspension, which
18 shall clearly state that the suspension was for failure to pay a forfeiture, ~~a penalty~~
19 ~~assessment, if required by s. 757.05, a truck driver education assessment, if required~~
20 ~~by s. 349.04, a jail assessment, if required by s. 302.46 (1), a railroad crossing~~
21 ~~improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a~~
22 ~~crime laboratories and drug law enforcement assessment, if required by s. 165.755,~~
23 plus costs, fees, and surcharges imposed by the court under ch. 814. The notice of
24 suspension and the suspended license, if it is available, shall be forwarded to the
25 department within 48 hours after the order of suspension. If the forfeiture, penalty

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1 ~~assessment, jail assessment, truck driver education assessment, railroad crossing~~
2 ~~improvement assessment, and crime laboratories and drug law enforcement~~
3 ~~assessment plus costs, fees, and surcharges imposed under ch. 814,~~ are paid during
4 a period of suspension, the court or judge shall immediately notify the department.
5 Upon receipt of the notice and payment of the reinstatement fee under s. 343.21 (1)
6 (j), the department shall return the surrendered license.

7 **SECTION 136.** 345.47 (2) of the statutes is amended to read:

8 345.47 (2) The payment of any judgment may be suspended or deferred for not
9 more than 60 days in the discretion of the court. In cases where a deposit has been
10 made, any forfeitures, ~~penalty assessments, jail assessments, truck driver education~~
11 ~~assessments, railroad crossing improvement assessments, crime laboratories and~~
12 ~~drug law enforcement assessments, and~~ plus costs, fees, and surcharges imposed
13 under ch. 814, shall be taken out of the deposit and the balance, if any, returned to
14 the defendant.

15 **SECTION 137.** 345.47 (3) of the statutes is amended to read:

16 345.47 (3) When a defendant is imprisoned for nonpayment of a forfeiture, ~~a~~
17 ~~penalty assessment, a jail assessment, a truck driver education assessment, a~~
18 ~~railroad crossing improvement assessment, or a crime laboratories and drug law~~
19 ~~enforcement assessment~~ plus costs, fees, and surcharges imposed under ch. 814, for
20 an action brought by a municipality located in more than one county, any
21 commitment to a county institution shall be to the county in which the action was
22 tried.

23 **SECTION 138.** 345.49 (title) of the statutes is amended to read:

24 345.49 (title) **Procedure on imprisonment; nonpayment of forfeiture,**
25 **costs, fees, or assessments surcharges.**

BILL

1 **SECTION 139.** 345.49 (1) of the statutes is amended to read:

2 345.49 (1) Any person imprisoned under s. 345.47 for nonpayment of a
3 forfeiture, ~~a penalty assessment, if required by s. 757.05, a jail assessment, if~~
4 ~~required by s. 302.46 (1), a truck driver education assessment, if required by s.~~
5 ~~349.04, a railroad crossing improvement assessment, if required by s. 346.177,~~
6 ~~346.495 or 346.65 (4r), or a crime laboratories and drug law enforcement assessment,~~
7 ~~if required by s. 165.755, plus costs, fees, and surcharges imposed under ch. 814, may,~~
8 on request, be allowed to work under s. 303.08. If the person does work, earnings
9 shall be applied on the unpaid forfeiture, ~~penalty assessment, truck driver education~~
10 ~~assessment, jail assessment, railroad crossing improvement assessment, or crime~~
11 ~~laboratories and drug law enforcement assessment~~ and costs, fees, and surcharges
12 imposed under ch. 814, after payment of personal board and expenses and support
13 of personal dependents to the extent directed by the court.

14 **SECTION 140.** 345.49 (2) of the statutes is amended to read:

15 345.49 (2) Any person who is subject to imprisonment under s. 345.47 for
16 nonpayment of a forfeiture, ~~penalty assessment, truck driver education assessment,~~
17 ~~jail assessment, railroad crossing improvement assessment, or crime laboratories~~
18 ~~and drug law enforcement assessment~~ plus costs, fees, and surcharges imposed
19 under ch. 814, may be placed on probation to some person satisfactory to the court
20 for not more than 90 days or until the forfeiture, ~~penalty assessment, truck driver~~
21 ~~education assessment, jail assessment, railroad crossing improvement assessment,~~
22 ~~or crime laboratories and drug law enforcement assessment is~~ and costs, fees, and
23 surcharges imposed under ch. 814, are paid if that is done before expiration of the
24 90-day period. The payment of the forfeiture, ~~penalty assessment, truck driver~~
25 ~~education assessment, jail assessment, railroad crossing improvement assessment,~~

BILL

1 ~~or crime laboratories and drug law enforcement assessment~~ and costs, fees, and
2 surcharges imposed under ch. 814, during that period shall be a condition of the
3 probation. If the forfeiture, ~~penalty assessment, truck driver education assessment,~~
4 ~~jail assessment, railroad crossing improvement assessment, or crime laboratories~~
5 ~~and drug law enforcement assessment is~~ and costs, fees, and surcharges imposed
6 under ch. 814, are not paid or the court deems that the interests of justice require,
7 probation may be terminated and the defendant imprisoned as provided in sub. (1)
8 or s. 345.47.

9 **SECTION 141.** 345.61 (2) (c) of the statutes is amended to read:

10 345.61 (2) (c) "Guaranteed arrest bond certificate," as used in this section,
11 means any printed card or other certificate issued by an automobile club, association,
12 or insurance company to any of its members or insureds, which card or certificate is
13 signed by the member or insureds and contains a printed statement that the
14 automobile club, association, or insurance company and a surety company, or an
15 insurance company authorized to transact both automobile liability insurance and
16 surety business, guarantee the appearance of the persons whose signature appears
17 on the card or certificate and that they will, in the event of failure of the person to
18 appear in court at the time of trial, pay any fine or forfeiture imposed on the person,
19 ~~including the penalty assessment required by s. 757.05, the truck driver education~~
20 ~~assessment required by s. 349.04, the jail assessment required by s. 302.46 (1), the~~
21 ~~railroad crossing improvement assessment required by s. 346.177, 346.495 or 346.65~~
22 ~~(4r), and the crime laboratories and drug law enforcement assessment required by~~
23 ~~s. 165.755, plus costs, fees, and surcharges imposed under ch. 814, in an amount not~~
24 exceeding \$200, or \$1,000 as provided in sub. (1) (b).

25 **SECTION 142.** 346.177 of the statutes is amended to read:

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1 **346.177 Railroad crossing improvement assessment surcharge for**
2 **vehicles illegally passing at railroad crossings.** (1) Whenever a court imposes
3 a forfeiture under s. 346.17 (2m) for a violation of s. 346.10 (1), the court shall also
4 impose a railroad crossing improvement assessment surcharge under ch. 814 equal
5 to 50% of the amount of the forfeiture.

6 (2) If a forfeiture is suspended in whole or in part, the railroad crossing
7 improvement assessment surcharge shall be reduced in proportion to the
8 suspension.

9 (3) If any deposit is made for an offense to which this section applies, the person
10 making the deposit shall also deposit a sufficient amount to include the railroad
11 crossing improvement assessment surcharge under this section. If the deposit is
12 forfeited, the amount of the railroad crossing improvement assessment surcharge
13 shall be transmitted to the state treasurer under sub. (4). If the deposit is returned,
14 the amount of the railroad crossing improvement assessment surcharge shall also
15 be returned.

16 (4) The clerk of the circuit court shall collect and transmit to the county
17 treasurer the railroad crossing improvement assessment surcharge as required
18 under s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer as
19 provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit all amounts received
20 under this subsection in the transportation fund to be appropriated under s. 20.395
21 (2) (gj).

22 **SECTION 143.** 346.495 of the statutes is amended to read:

23 **346.495 Railroad crossing improvement assessment surcharge.** (1) If
24 a court imposes a forfeiture under s. 346.49 (1g) or (2m) (a), (am), or (b) for a violation
25 of s. 346.44, 346.45, or 346.46 (3), the court shall also impose a railroad crossing

BILL

1 improvement ~~assessment~~ surcharge under ch. 814 equal to 50% of the amount of the
2 forfeiture.

3 (2) If a forfeiture is suspended in whole or in part, the railroad crossing
4 improvement ~~assessment~~ surcharge shall be reduced in proportion to the
5 suspension.

6 (3) If any deposit is made for an offense to which this section applies, the person
7 making the deposit shall also deposit a sufficient amount to include the railroad
8 crossing improvement ~~assessment~~ surcharge under this section. If the deposit is
9 forfeited, the amount of the railroad crossing improvement ~~assessment~~ surcharge
10 shall be transmitted to the state treasurer under sub. (4). If the deposit is returned,
11 the amount of the railroad crossing improvement ~~assessment~~ surcharge shall also
12 be returned.

13 (4) The clerk of the circuit court shall collect and transmit to the county
14 treasurer the railroad crossing improvement ~~assessment~~ surcharge as required
15 under s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer as
16 provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit all amounts received
17 under this subsection in the transportation fund to be appropriated under s. 20.395
18 (2) (gj).

19 **SECTION 144.** 346.65 (4r) of the statutes is amended to read:

20 346.65 (4r) (a) If a court imposes a forfeiture under sub. (4m) for a violation of
21 s. 346.62 (2m), the court shall also impose a railroad crossing improvement
22 ~~assessment~~ surcharge under ch. 814 equal to 50% of the amount of the forfeiture.

23 (b) If a forfeiture is suspended in whole or in part, the railroad crossing
24 improvement ~~assessment~~ surcharge shall be reduced in proportion to the
25 suspension.

BILL

1 (c) If any deposit is made for an offense to which this subsection applies, the
2 person making the deposit shall also deposit a sufficient amount to include the
3 railroad crossing improvement ~~assessment~~ surchage under this subsection. If the
4 deposit is forfeited, the amount of the railroad crossing improvement ~~assessment~~
5 surchage shall be transmitted to the state treasurer under par. (d). If the deposit
6 is returned, the amount of the railroad crossing improvement ~~assessment~~ surchage
7 shall also be returned.

8 (d) The clerk of the circuit court shall collect and transmit to the county
9 treasurer the railroad crossing improvement ~~assessment~~ surchage as required
10 under s. 59.40 (2) (m). The county treasurer shall then pay the state treasurer as
11 provided in s. 59.25 (3) (f) 2. The state treasurer shall deposit all amounts received
12 under this paragraph in the transportation fund to be appropriated under s. 20.395
13 (2) (gj).

14 **SECTION 145.** 346.655 (1) of the statutes is amended to read:

15 346.655 (1) If a court imposes a fine or a forfeiture for a violation of s. 346.63
16 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25,
17 or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver
18 improvement surcharge under ch. 814 in an amount of \$355 in addition to the fine
19 or forfeiture, ~~penalty assessment, jail assessment, crime laboratories and drug law~~
20 ~~enforcement assessment, and, if required by s. 349.04, truck driver education~~
21 assessment plus costs, fees, and other surcharges imposed under ch. 814.

22 **SECTION 146.** 349.04 (title) of the statutes is amended to read:

23 **349.04 (title) Truck driver education assessments surchages.**

24 **SECTION 147.** 349.04 (1) of the statutes is amended to read:

BILL

1 349.04 (1) If a court imposes a fine or forfeiture for a violation of a provision
2 of chs. 346 to 348 or a rule issued under chs. 346 to 348 and the violation involved
3 a commercial motor vehicle, the court shall impose under ch. 814 a truck driver
4 education assessment surcharge of \$8.

5 **SECTION 148.** 349.04 (2) of the statutes is amended to read:

6 349.04 (2) If a fine or forfeiture is suspended in whole or in part, the truck
7 driver education assessment surcharge shall be reduced in proportion to the
8 suspension.

9 **SECTION 149.** 349.04 (3) of the statutes is amended to read:

10 349.04 (3) If any deposit is made for an offense to which this section applies,
11 the person making the deposit shall also deposit a sufficient amount to include the
12 truck driver education assessment surcharge under this section. If the deposit is
13 forfeited, the amount of the truck driver education assessment surcharge shall be
14 transmitted to the state treasurer under sub. (4). If the deposit is returned, the
15 amount of the truck driver education assessment surcharge shall also be returned.

16 **SECTION 150.** 349.04 (4) of the statutes is amended to read:

17 349.04 (4) The clerk of the circuit court shall collect and transmit to the county
18 treasurer the truck driver education assessment surcharge as required under s.
19 59.40 (2) (m). The county treasurer shall then pay the state treasurer as provided
20 in s. 59.25 (3) (f) 2. The state treasurer shall deposit all amounts received under this
21 subsection in the general fund to be credited to the appropriation account under s.
22 20.292 (1) (hm).

23 **SECTION 151.** 350.115 of the statutes is amended to read:

24 **350.115 Snowmobile registration restitution payments surcharge.** (1)
25 **LEVY OF SNOWMOBILE REGISTRATION RESTITUTION ~~PAYMENT~~ SURCHARGE.** (a) If a court

BILL

1 imposes a forfeiture for a violation of a provision of this chapter where the payment
2 of a registration fee is required, the court shall impose a snowmobile registration
3 restitution ~~payment~~ surchage under ch. 814 equal to the amount of the fee that was
4 required and should have been obtained.

5 (b) If a forfeiture is suspended in whole or in part, the snowmobile registration
6 restitution ~~payment~~ surchage shall be reduced in proportion to the suspension
7 unless the court directs otherwise.

8 (c) If any deposit is made for an offense to which this section applies, the person
9 making the deposit shall also deposit a sufficient amount to include the snowmobile
10 registration restitution ~~payment prescribed in~~ surchage under this section. If the
11 deposit is forfeited, the amount of the snowmobile registration restitution ~~payment~~
12 surchage shall be transmitted to the state treasurer under par. (d). If the deposit
13 is returned, the snowmobile registration restitution ~~payment~~ surchage shall also be
14 returned.

15 (d) The clerk of the court shall collect and transmit to the county treasurer the
16 snowmobile registration restitution ~~payment~~ surchage and other amounts required
17 under s. 59.40 (2) (m). The county treasurer shall then make payment to the state
18 treasurer as provided in s. 59.25 (3) (f) 2.

19 (2) USE OF SNOWMOBILE REGISTRATION RESTITUTION ~~PAYMENT~~ SURCHARGE FUNDS.
20 All moneys collected from snowmobile registration restitution ~~payments~~ surcharges
21 shall be deposited in the conservation fund.

22 **SECTION 152.** 447.15 (4) of the statutes is amended to read:

23 447.15 (4) "Liability" includes the obligation to pay a judgment, settlement,
24 ~~penalty, assessment, forfciture,~~ or fine, including any excise tax assessed with

BILL

1 respect to an employee benefit plan, plus costs, fees, and surcharges imposed under
2 ch. 814, and reasonable expenses.

3 **SECTION 153.** 753.40 of the statutes is amended to read:

4 **753.40 Contributions to certain organizations and agencies.** (1) If a
5 circuit court finds in a forfeiture action that a person violated an ordinance that
6 prohibits conduct that is the same as or similar to conduct prohibited by state statute
7 punishable by fine or imprisonment, the circuit court may require, under ch. 814, the
8 person to make a contribution surcharge not to exceed the maximum amount of the
9 forfeiture that may be levied to an organization or agency specified in s. 973.06 (1)
10 (f) 1. if the court determines that the violator has the financial ability to make the
11 contribution.

12 (2) If the court does require a person to make a contribution surcharge to an
13 organization or agency specified in s. 973.06 (1) (f) 1. but does not require the person
14 to pay a forfeiture or court costs, the court shall state on the record the reasons why
15 it is not requiring the person to pay the forfeiture or court costs. All ~~contributions~~
16 contribution surcharges made under this section shall be made to the clerk of circuit
17 court for distribution to the organization or agency specified in s. 973.06 (1) (f) 1. The
18 circuit court may not require a person to make a contribution surcharge under this
19 section to an organization or agency specified in s. 973.06 (1) (f) 1. that has not
20 complied with the provisions of s. 757.17.

21 **SECTION 154.** 757.05 (title) of the statutes is amended to read:

22 **757.05 (title) Penalty assessment surcharge.**

23 **SECTION 155.** 757.05 (1) (a) of the statutes is amended to read:

24 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
25 state law or for a violation of a municipal or county ordinance except for a violation

BILL

of s. 101.123 (2) (a), (am) 1., (ar), (bm), or (br) or (5) or state laws or municipal or county ordinances involving nonmoving traffic violations or safety belt use violations under s. 347.48 (2m), there shall be imposed in addition a penalty assessment surcharge under ch. 814 in an amount of 24% of the fine or forfeiture imposed. If multiple offenses are involved, the penalty assessment surcharge shall be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture is suspended in whole or in part, the penalty assessment surcharge shall be reduced in proportion to the suspension.

SECTION 156. 757.05 (1) (d) of the statutes is amended to read:

757.05 (1) (d) If any deposit of bail is made for a noncriminal offense to which this subsection applies, the person making the deposit shall also deposit a sufficient amount to include the ~~assessment prescribed in~~ surcharge under this subsection for forfeited bail. If bail is forfeited, the amount of the ~~assessment~~ surcharge shall be transmitted monthly to the state treasurer under this subsection. If bail is returned, the ~~assessment~~ surcharge shall also be returned.

SECTION 157. 757.05 (2) (title) of the statutes is amended to read:

757.05 (2) (title) USE OF PENALTY ASSESSMENT SURCHARGE MONEYS.

SECTION 158. 757.05 (2) (a) of the statutes is amended to read:

757.05 (2) (a) *Law enforcement training fund.* Eleven twenty-fourths of all moneys collected from penalty assessments surcharges under sub. (1) shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized in accordance with ss. 20.455 (2) and 165.85 (5). The moneys credited to the appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s. 20.455 (2) (jb), constitute the law enforcement training fund.

SECTION 159. 757.05 (2) (b) of the statutes is amended to read:

BILL

1 757.05 (2) (b) *Other purposes.* The moneys collected from penalty assessments
2 surcharges under sub. (1) that remain after crediting the appropriation account
3 specified in par. (a) shall be credited to the appropriation account under s. 20.505 (6)
4 (j) and transferred as provided under s. 20.505 (6) (j).

5 **SECTION 160.** 758.19 (6) (c) 1. a. of the statutes is amended to read:

6 758.19 (6) (c) 1. a. “Court support services fee” means the fee under s. 814.634
7 814.85.

8 **SECTION 161.** 778.02 of the statutes is amended to read:

9 **778.02 Action in name of state; complaint; attachment.** Every such
10 forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to
11 allege in the complaint that the defendant is indebted to the plaintiff in the amount
12 of the forfeiture claimed, according to the provisions of the statute that imposes it,
13 specifying the statute and ~~for the penalty assessment imposed by s. 757.05, the jail~~
14 ~~assessment imposed by s. 302.46 (1), the crime laboratories and drug law~~
15 ~~enforcement assessment imposed by s. 165.755, the enforcement assessment~~
16 ~~imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer protection~~
17 ~~assessment imposed by s. 100.261, and any applicable domestic abuse assessment~~
18 ~~imposed by s. 973.055 (1), plus costs, fees, and surcharges imposed under ch. 814.~~
19 If the statute imposes a forfeiture for several offenses or delinquencies, the complaint
20 shall specify the particular offense or delinquency for which the action is brought,
21 with a demand for judgment for the amount of the forfeiture, ~~penalty assessment,~~
22 ~~jail assessment, crime laboratories and drug law enforcement assessment, any~~
23 ~~applicable enforcement assessment, any applicable consumer protection~~
24 ~~assessment, and any applicable domestic abuse assessment plus costs, fees, and~~

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1 surcharges imposed under ch. 814. If the defendant is a nonresident of the state, an
2 attachment may issue.

3 **SECTION 162.** 778.03 of the statutes is amended to read:

4 **778.03 Complaint to recover forfeited goods.** In an action to recover
5 property forfeited by any statute it shall be sufficient to allege in the complaint that
6 the property has been forfeited, specifying the statute, with a demand of judgment
7 for the delivery of the property, or the value thereof of the property and for payment
8 of the ~~penalty assessment imposed by s. 757.05, the jail assessment imposed by s.~~
9 ~~302.46 (1), the crime laboratories and drug law enforcement assessment imposed by~~
10 ~~s. 165.755, the enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any~~
11 ~~applicable consumer protection assessment imposed by s. 100.261, and any~~
12 ~~applicable domestic abuse assessment imposed by s. 973.055 (1)~~ costs, fees, and
13 surcharges imposed under ch. 814.

14 **SECTION 163.** 778.06 of the statutes is amended to read:

15 **778.06 Action for what sum.** When a forfeiture is imposed, not exceeding a
16 specific sum or when it is not less than one sum or more than another, the action may
17 be brought for the highest sum specified ~~and for the penalty assessment imposed by~~
18 ~~s. 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and~~
19 ~~drug law enforcement assessment imposed by s. 165.755, the enforcement~~
20 ~~assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer~~
21 ~~protection assessment imposed by s. 100.261, and any applicable domestic abuse~~
22 ~~assessment imposed by s. 973.055 (1),~~ plus costs, fees, and surcharges imposed under
23 ch. 814; and judgment may be rendered for such sum as the court or jury shall assess
24 or determine to be proportionate to the offense.

25 **SECTION 164.** 778.10 of the statutes is amended to read:

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1 **778.10 Municipal forfeitures, how recovered.** All forfeitures imposed by
2 any ordinance or regulation of any county, town, city, or village, or of any other
3 domestic corporation may be sued for and recovered, under this chapter, in the name
4 of the county, town, city, village, or corporation. It is sufficient to allege in the
5 complaint that the defendant is indebted to the plaintiff in the amount of the
6 forfeiture claimed, specifying the ordinance or regulation that imposes it and of the
7 ~~penalty assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46~~
8 ~~(1), the crime laboratories and drug law enforcement assessment imposed by s.~~
9 ~~165.755, any applicable consumer protection assessment imposed by s. 100.261, and~~
10 ~~any applicable domestic abuse assessment imposed by s. 973.055 (1), plus costs, fees,~~
11 ~~and surcharges imposed under ch. 814.~~ If the ordinance or regulation imposes a
12 penalty or forfeiture for several offenses or delinquencies, the complaint shall specify
13 the particular offenses or delinquency for which the action is brought, with a demand
14 for judgment for the amount of the forfeiture, ~~the penalty assessment imposed by s.~~
15 ~~757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug~~
16 ~~law enforcement assessment imposed by s. 165.755, any applicable consumer~~
17 ~~protection assessment imposed by s. 100.261, and any applicable domestic abuse~~
18 ~~assessment imposed by s. 973.055 (1) plus costs, fees, and surcharges imposed under~~
19 ~~ch. 814.~~ All moneys collected on the judgment shall be paid to the treasurer of the
20 county, town, city, village, or corporation, except that all jail assessments surcharges
21 imposed under ch. 814 shall be paid to the county treasurer.

22 **SECTION 165.** 778.105 of the statutes is amended to read:

23 **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by
24 any court or any branch thereof for the violation of any municipal or county
25 ordinance shall be paid to the municipality or county. ~~Penalty assessment payments~~

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1 ~~shall be made as provided in s. 757.05. Jail assessment payments shall be made as~~
2 ~~provided in s. 302.46 (1). Crime laboratories and drug law enforcement assessment~~
3 ~~payments shall be paid as provided in s. 165.755. Domestic abuse assessments shall~~
4 ~~be made as provided in s. 973.055. Consumer protection assessment payments shall~~
5 ~~be made as provided in s. 100.261~~ Costs, fees, and surcharges imposed under ch. 814
6 shall be paid as required by that chapter.

7 SECTION 166. 778.13 of the statutes is amended to read:

8 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor
9 of the state for forfeiture, except the portion to be paid to any person who sues with
10 the state, plus costs, fees, and surcharges imposed under ch. 814, shall be paid by the
11 officer who collects the forfeiture, costs, fees, and surcharges to the treasurer of the
12 county within which the forfeiture was incurred within 20 days after its receipt. In
13 case of any failure in the payment, the county treasurer may collect the payment of
14 the officer by action, in the name of the office and upon the official bond of the officer,
15 with interest at the rate of 12% per year from the time when it should have been paid.
16 ~~Penalty assessment payments shall be made as provided in s. 757.05. Jail~~
17 ~~assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories~~
18 ~~and drug law enforcement assessment payments shall be paid as provided in s.~~
19 ~~165.755. Domestic abuse assessments shall be made as provided in s. 973.055.~~
20 ~~Enforcement assessments shall be made as provided in s. 253.06 (4) (c). Consumer~~
21 ~~protection assessment payments shall be made as provided in s. 100.261.~~

22 SECTION 167. 778.18 of the statutes is amended to read:

23 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her
24 own will, dismisses any action brought before the judge under this chapter, unless
25 by order of the district attorney or attorney general or the person joined as plaintiff

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1 with the state, or renders a less lesser judgment therein than is prescribed by law,
2 or releases or discharges any such judgment or part thereof without payment or
3 collection, the judge and the judge's sureties shall be liable, in an action upon the
4 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture
5 imposed by the judge and for the ~~penalty assessment imposed by s. 757.05, the jail~~
6 ~~assessment imposed by s. 302.46 (1), the crime laboratories and drug law~~
7 ~~enforcement assessment imposed by s. 165.755, any applicable consumer protection~~
8 ~~assessment imposed by s. 100.261, and any applicable domestic abuse assessment~~
9 ~~imposed by s. 973.055 (1)~~ costs, fees, and surcharges imposed under ch. 814, or for
10 an amount equal to the amount in which any such judgment or any part thereof is
11 released or discharged. If any municipal judge gives time or delay to any person
12 against whom any such judgment is rendered by the judge, or takes any bond or
13 security for its future payment, the judge and the judge's sureties shall also be liable
14 for the payment of the judgment upon the judge's bond.

15 **SECTION 168.** 778.25 (2) (g) of the statutes is amended to read:

16 778.25 (2) (g) Notice that if the defendant makes a deposit and fails to appear
17 in court at the time fixed in the citation, the failure to appear will be considered
18 tender of a plea of no contest and submission to a forfeiture, ~~penalty assessment, jail~~
19 ~~assessment and crime laboratories and drug law enforcement assessment~~ plus costs,
20 including any applicable fees prescribed in, and surcharges imposed under ch. 814,
21 not to exceed the amount of the deposit. The notice shall also state that the court may
22 decide to summon the defendant or, if the defendant is an adult, issue an arrest
23 warrant for the defendant rather than accept the deposit and plea.

24 **SECTION 169.** 778.25 (3) of the statutes is amended to read:

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1 778.25 (3) If a person is issued a citation under this section, the person may
2 deposit the amount of money that the issuing agent or officer directs by mailing or
3 delivering the deposit and a copy of the citation to the clerk of court of the county
4 where the violation occurred or the office or headquarters of the agent or officer who
5 issued the citation prior to the court appearance date. The basic amount of the
6 deposit shall be determined under a deposit schedule established by the judicial
7 conference. The judicial conference shall annually review and revise the schedule.
8 In addition to the basic amount determined by the schedule, the deposit shall include
9 costs, ~~including any applicable fees prescribed in, and surcharges imposed under ch.~~
10 ~~814, penalty assessment, jail assessment and crime laboratories and drug law~~
11 ~~enforcement assessment.~~

12 **SECTION 170.** 778.25 (5) of the statutes is amended to read:

13 778.25 (5) A person receiving a deposit shall prepare a receipt in triplicate
14 showing the purpose for which the deposit is made, stating that the defendant may
15 inquire at the office of the clerk of court regarding the disposition of the deposit, and
16 notifying the defendant that if he or she fails to appear in court at the time fixed in
17 the citation he or she will be deemed to have tendered a plea of no contest and
18 submitted to a forfeiture, ~~penalty assessment, jail assessment and crime~~
19 ~~laboratories and drug law enforcement assessment~~ plus costs, ~~including any~~
20 ~~applicable fees prescribed in, and surcharges imposed under ch. 814,~~ not to exceed
21 the amount of the deposit which the court may accept. The original of the receipt
22 shall be delivered to the defendant in person or by mail. If the defendant pays by
23 check, the check is the receipt.

24 **SECTION 171.** 778.25 (8) (b) of the statutes is amended to read:

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1 778.25 (8) (b) If the defendant has made a deposit, the citation may serve as
2 the initial pleading and the defendant shall be considered to have tendered a plea
3 of no contest and submitted to a forfeiture, ~~penalty assessment, jail assessment and~~
4 ~~crime laboratories and drug law enforcement assessment~~ plus costs, ~~including any~~
5 ~~applicable fees prescribed in, and surcharges imposed under~~ ch. 814, not exceeding
6 the amount of the deposit. The court may either accept the plea of no contest and
7 enter judgment accordingly, or reject the plea and issue a summons or arrest
8 warrant, except that if the defendant is a minor the court shall proceed under s.
9 938.28. Chapter 938 governs taking and holding a minor in custody. If the court
10 accepts the plea of no contest, the defendant may move within 90 days after the date
11 set for appearance to withdraw the plea of no contest, open the judgment, and enter
12 a plea of not guilty if the defendant shows to the satisfaction of the court that failure
13 to appear was due to mistake, inadvertence, surprise, or excusable neglect. If a party
14 is relieved from the plea of no contest, the court or judge may order a written
15 complaint or petition to be filed. If on reopening the defendant is found not guilty,
16 the court shall delete the record of conviction and shall order the defendant's deposit
17 returned.

18 **SECTION 172.** 778.25 (10) of the statutes is amended to read:

19 778.25 (10) An officer collecting moneys for a forfeiture, ~~penalty assessment,~~
20 ~~jail assessment, crime laboratories and drug law enforcement assessment and~~ plus
21 costs, fees, and surcharges imposed under ch. 814, under this section shall pay the
22 same to the appropriate municipal or county treasurer within 20 days after ~~its~~ their
23 receipt by the officer, except that all jail ~~assessments~~ surcharges imposed under ch.
24 814 shall be paid to the county treasurer. If the officer fails to make timely payment,
25 the municipal or county treasurer may collect the payment from the officer by an

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1 action in the treasurer's name of office and upon the official bond of the officer, with
2 interest at the rate of 12% per year from the time when it should have been paid.

3 **SECTION 173.** 778.26 (2) (e) of the statutes is amended to read:

4 778.26 (2) (e) The maximum forfeiture, ~~penalty assessment, jail assessment~~
5 ~~and crime laboratories and drug law enforcement assessment~~ plus costs, fees, and
6 surcharges imposed under ch. 814, for which the defendant is liable.

7 **SECTION 174.** 778.26 (2) (g) of the statutes is amended to read:

8 778.26 (2) (g) Notice that, if the defendant makes a deposit and fails to appear
9 in court at the time specified in the citation, the failure to appear will be considered
10 tender of a plea of no contest and submission to a forfeiture, ~~penalty assessment, jail~~
11 ~~assessment and crime laboratories and drug law enforcement assessment~~ plus costs,
12 fees, and surcharges imposed under ch. 814, not to exceed the amount of the deposit.
13 The notice shall also state that the court, instead of accepting the deposit and plea,
14 may decide to summon the defendant or may issue an arrest warrant for the
15 defendant upon failure to respond to a summons.

16 **SECTION 175.** 778.26 (2) (h) of the statutes is amended to read:

17 778.26 (2) (h) Notice that, if the defendant makes a deposit and signs the
18 stipulation, the stipulation will be treated as a plea of no contest and submission to
19 a forfeiture, ~~penalty assessment, jail assessment and crime laboratories and drug~~
20 ~~law enforcement assessment~~ plus costs, fees, and surcharges imposed under ch. 814,
21 not to exceed the amount of the deposit. The notice shall also state that the court,
22 instead of accepting the deposit and stipulation, may decide to summon the
23 defendant or issue an arrest warrant for the defendant upon failure to respond to a
24 summons, and that the defendant may, at any time prior to or at the time of the court
25 appearance date, move the court for relief from the effect of the stipulation.

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1 **SECTION 176.** 778.26 (3) of the statutes is amended to read:

2 778.26 (3) A defendant issued a citation under this section may deposit the
3 amount of money that the issuing officer directs by mailing or delivering the deposit
4 and a copy of the citation prior to the court appearance date to the clerk of the circuit
5 court in the county where the violation occurred or to the sheriff's office or police
6 headquarters of the officer who issued the citation. The basic amount of the deposit
7 shall be determined under a deposit schedule established by the judicial conference.
8 The judicial conference shall annually review and revise the schedule. In addition
9 to the basic amount determined by the schedule, the deposit shall include the penalty
10 ~~assessment, jail assessment, crime laboratories and drug law enforcement~~
11 ~~assessment and costs, fees, and surcharges imposed under ch. 814.~~

12 **SECTION 177.** 778.26 (4) of the statutes is amended to read:

13 778.26 (4) A defendant may make a stipulation of no contest by submitting a
14 deposit and a stipulation in the manner provided by sub. (3) prior to the court
15 appearance date. The signed stipulation is a plea of no contest and submission to a
16 forfeiture, plus the ~~penalty assessment, jail assessment, crime laboratories and drug~~
17 ~~law enforcement assessment and costs, fees, and surcharges imposed under ch. 814,~~
18 not to exceed the amount of the deposit.

19 **SECTION 178.** 778.26 (5) of the statutes is amended to read:

20 778.26 (5) Except as provided by sub. (6), a person receiving a deposit shall
21 prepare a receipt in triplicate showing the purpose for which the deposit is made,
22 stating that the defendant may inquire at the office of the clerk of the circuit court
23 regarding the disposition of the deposit, and notifying the defendant that if he or she
24 fails to appear in court at the time specified in the citation he or she shall be
25 considered to have tendered a plea of no contest and submitted to a forfeiture,

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1 ~~penalty assessment, jail assessment and crime laboratories and drug law~~
2 ~~enforcement assessment~~ plus costs, fees, and surcharges imposed under ch. 814, not
3 to exceed the amount of the deposit and that the court may accept the plea. The
4 original of the receipt shall be delivered to the defendant in person or by mail. If the
5 defendant pays by check, the canceled check is the receipt.

6 **SECTION 179.** 778.26 (6) of the statutes is amended to read:

7 778.26 (6) The person receiving a deposit and stipulation of no contest shall
8 prepare a receipt in triplicate showing the purpose for which the deposit is made,
9 stating that the defendant may inquire at the office of the clerk of the circuit court
10 regarding the disposition of the deposit, and notifying the defendant that if the
11 stipulation of no contest is accepted by the court the defendant will be considered to
12 have submitted to a forfeiture, ~~penalty assessment, jail assessment and crime~~
13 ~~laboratories and drug law enforcement assessment~~ plus costs, fees, and surcharges
14 imposed under ch. 814, not to exceed the amount of the deposit. Delivery of the
15 receipt shall be made in the same manner as provided in sub. (5).

16 **SECTION 180.** 778.26 (7) (b) of the statutes is amended to read:

17 778.26 (7) (b) If the defendant has made a deposit, the citation may serve as
18 the initial pleading and the defendant shall be considered to have tendered a plea
19 of no contest and submitted to a forfeiture, ~~penalty assessment, jail assessment and~~
20 ~~crime laboratories and drug law enforcement assessment~~ plus costs, fees, and
21 surcharges imposed under ch. 814, not to exceed the amount of the deposit. The court
22 may either accept the plea of no contest and enter judgment accordingly, or reject the
23 plea and issue a summons. If the defendant fails to appear in response to the
24 summons, the court shall issue an arrest warrant. If the court accepts the plea of no
25 contest, the defendant may, within 90 days after the date set for appearance, move

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1 to withdraw the plea of no contest, open the judgment, and enter a plea of not guilty
2 if the defendant shows to the satisfaction of the court that failure to appear was due
3 to mistake, inadvertence, surprise, or excusable neglect. If a defendant is relieved
4 from the plea of no contest, the court may order a written complaint or petition to be
5 filed. If on reopening the defendant is found not guilty, the court shall delete the
6 record of conviction and shall order the defendant's deposit returned.

7 **SECTION 181.** 778.26 (7) (c) of the statutes is amended to read:

8 778.26 (7) (c) If the defendant has made a deposit and stipulation of no contest,
9 the citation serves as the initial pleading and the defendant shall be considered to
10 have tendered a plea of no contest and submitted to a forfeiture, ~~penalty assessment,~~
11 ~~jail assessment and crime laboratories and drug law enforcement assessment~~ plus
12 costs, fees, and surcharges imposed under ch. 814, not to exceed the amount of the
13 deposit. The court may either accept the plea of no contest and enter judgment
14 accordingly, or reject the plea and issue a summons or an arrest warrant. After
15 signing a stipulation of no contest, the defendant may, at any time prior to or at the
16 time of the court appearance date, move the court for relief from the effect of the
17 stipulation. The court may act on the motion, with or without notice, for cause shown
18 by affidavit and upon just terms, and relieve the defendant from the stipulation and
19 the effects of the stipulation.

20 **SECTION 182.** 778.26 (9) of the statutes is amended to read:

21 778.26 (9) An officer who collects a forfeiture, ~~penalty assessment, jail~~
22 ~~assessment and crime laboratories and drug law enforcement assessment and~~ and
23 costs, fees, and surcharges imposed under ch. 814, under this section shall pay the
24 money to the county treasurer within 20 days after its receipt. If the officer fails to
25 make timely payment, the county treasurer may collect the payment from the officer

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1 by an action in the treasurer's name of office and upon the official bond of the officer,
2 with interest at the rate of 12% per year from the time when it should have been paid.

3 **SECTION 183.** 778.30 (1) (b) of the statutes is amended to read:

4 778.30 (1) (b) Issue an order assigning not more than 25% of the defendant's
5 commissions, earnings, salaries, wages, pension benefits, benefits under ch. 102, and
6 other money due or to be due in the future to the clerk of circuit court for payment
7 of the unpaid forfeiture, costs, ~~assessment, surcharge~~ or restitution payment fees or
8 surcharges. In this paragraph, "employer" includes the state and its political
9 subdivisions.

10 **SECTION 184.** 800.02 (2) (a) 8. of the statutes is amended to read:

11 800.02 (2) (a) 8. Notice that, if the defendant makes a deposit and fails to
12 appear in court at the time fixed in the citation, the defendant is deemed to have
13 tendered a plea of no contest and submits to a forfeiture, ~~penalty assessment, jail~~
14 ~~assessment, and crime laboratories and drug law enforcement assessment, any~~
15 ~~applicable consumer protection assessment, and any applicable domestic abuse~~
16 ~~assessment plus costs, including the fee prescribed in s. 814.65 (1) fees, and~~
17 surcharges imposed under ch. 814, not to exceed the amount of the deposit. The
18 notice shall also state that the court may decide to summon the defendant rather
19 than accept the deposit and plea.

20 **SECTION 185.** 800.02 (3) (a) 5. of the statutes is amended to read:

21 800.02 (3) (a) 5. A plain and concise statement of the violation identifying the
22 event or occurrence from which the violation arose and showing that the plaintiff is
23 entitled to relief, the ordinance, resolution, or bylaw upon which the cause of action
24 is based, and a demand for a forfeiture, the amount of which shall not exceed the
25 maximum set by the statute involved, ~~the penalty assessment, the jail assessment,~~

BILL

1 ~~the crime laboratories and drug law enforcement assessment, any applicable~~
2 ~~consumer protection assessment, any applicable domestic abuse assessment plus~~
3 ~~costs, fees, and surcharges imposed under ch. 814, and such other relief that as is~~
4 sought by the plaintiff.

5 **SECTION 186.** 800.03 (3) of the statutes is amended to read:

6 800.03 (3) The amount of the deposit shall be set by the municipal judge, but
7 shall not be effective until approved by the governing body of the municipality. The
8 amount shall not exceed the maximum penalty for the offense, ~~including any penalty~~
9 ~~assessment that would be applicable under s. 757.05, any jail assessment that would~~
10 ~~be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement~~
11 ~~assessment that would be applicable under s. 165.755, any consumer protection~~
12 ~~assessment that would be applicable under s. 100.261, and any domestic abuse~~
13 ~~assessment that would be applicable under s. 973.055 (1), plus court costs, including~~
14 ~~the fee prescribed in s. 814.65 (1) fees, and surcharges imposed under ch. 814.~~

15 **SECTION 187.** 800.04 (2) (b) of the statutes is amended to read:

16 800.04 (2) (b) If the municipal judge determines that the defendant should not
17 be released under par. (a) and the defendant is charged with a traffic or boating
18 violation, the municipal judge shall release the defendant on a deposit in the amount
19 established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66.
20 For other violations, the municipal judge shall establish a deposit in an amount not
21 to exceed the maximum penalty for the offense, ~~including any penalty assessment~~
22 ~~that would be applicable under s. 757.05, any jail assessment that would be~~
23 ~~applicable under s. 302.46 (1), any crime laboratories and drug law enforcement~~
24 ~~assessment that would be applicable under s. 165.755, any consumer protection~~
25 ~~assessment that would be applicable under s. 100.261, and any domestic abuse~~

BILL

1 ~~assessment that would be applicable under s. 973.055 (1) plus costs, fees, and~~
2 ~~surcharges imposed under ch. 814.~~ If the judge in a 1st class city determines that
3 a defendant appearing before the judge through interactive video and audio
4 transmission should not be released under par. (a), the judge shall inform the
5 defendant that he or she has the right to appear personally before a judge for a
6 determination, not prejudiced by the first appearance, as to whether he or she should
7 be released without a deposit. On failure of the defendant to make a deposit under
8 this paragraph, he or she may be committed to jail pending trial only if the judge finds
9 that there is a reasonable basis to believe the person will not appear in court.

10 SECTION 188. 800.04 (2) (c) of the statutes is amended to read:

11 800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03
12 and does not appear, he or she is deemed to have tendered a plea of no contest and
13 submits to a forfeiture, ~~a penalty assessment imposed by s. 757.05, a jail assessment~~
14 ~~imposed by s. 302.46 (1), a crime laboratories and drug law enforcement assessment~~
15 ~~imposed by s. 165.755, any applicable consumer protection assessment imposed by~~
16 ~~s. 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1)~~
17 ~~plus costs, including the fee prescribed in s. 814.65 (1) fees, and surcharges imposed~~
18 ~~under ch. 814,~~ not exceeding the amount of the deposit. The court may either accept
19 the plea of no contest and enter judgment accordingly, or reject the plea and issue a
20 summons. If the court finds that the violation meets the conditions in s. 800.093 (1),
21 the court may summon the alleged violator into court to determine if restitution shall
22 be ordered under s. 800.093. If the defendant fails to appear in response to the
23 summons, the court shall issue a warrant under s. 968.09. If the defendant has made
24 a deposit but does appear, the court shall allow the defendant to withdraw the plea
25 of no contest.

BILL

1 **SECTION 189.** 800.09 (1) (intro.) of the statutes is amended to read:

2 800.09 (1) JUDGMENT. (intro.) If a municipal court finds a defendant guilty, it
3 may render judgment by ordering restitution under s. 800.093 and payment of a
4 forfeiture, ~~the penalty assessment imposed by s. 757.05, the jail assessment imposed~~
5 ~~by s. 302.46 (1), the crime laboratories and drug law enforcement assessment~~
6 ~~imposed by s. 165.755, any applicable consumer protection assessment imposed by~~
7 ~~s. 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1)~~
8 plus costs of prosecution, ~~including the fee prescribed in s. 814.65 (1), fees, and~~
9 surcharges imposed under ch. 814. The court shall apply any payment received on
10 a judgment that includes restitution to first satisfy any payment of restitution
11 ordered, then to pay the forfeiture, ~~assessments, and costs, fees, and surcharges.~~ If
12 the judgment is not paid, the court may proceed under par. (a), (b), or (c) or any
13 combination of those paragraphs, as follows:

14 **SECTION 190.** 800.09 (1) (a) of the statutes is amended to read:

15 800.09 (1) (a) The court may defer payment of any judgment or provide for
16 installment payments. At the time that the judgment is rendered, the court shall
17 inform the defendant, orally and in writing, of the date by which restitution and the
18 payment of the forfeiture, ~~the penalty assessment, the jail assessment, the crime~~
19 ~~laboratories and drug law enforcement assessment, any applicable consumer~~
20 ~~protection assessment, and any applicable domestic abuse assessment~~ plus costs,
21 fees, and surcharges imposed under ch. 814, must be made, and of the possible
22 consequences of failure to do so in timely fashion, including imprisonment, as
23 provided in s. 800.095, or suspension of the defendant's motor vehicle operating
24 privilege, as provided in par. (c), if applicable. If the defendant is not present, the
25 court shall ensure that the information is sent to the defendant by mail. In 1st class

BILL

1 cities, all of the written information required by this paragraph shall be printed in
2 English and Spanish and provided to each defendant.

3 **SECTION 191.** 800.09 (2) (b) of the statutes is amended to read:

4 800.09 (2) (b) If the person charged fails to appear personally or by an attorney
5 at the time fixed for hearing of the case, the defendant may be deemed to have
6 entered a plea of no contest and the money deposited, if any, or such portion thereof
7 as the court determines to be an adequate penalty, ~~plus the penalty assessment, the~~
8 ~~jail assessment, the crime laboratories and drug law enforcement assessment, any~~
9 ~~applicable consumer protection assessment, and any applicable domestic abuse~~
10 ~~assessment plus costs, including the fee prescribed in s. 814.65 (1) fees, and~~
11 ~~surcharges imposed under ch. 814,~~ may be declared forfeited by the court or may be
12 ordered applied upon the payment of any penalty which may be imposed, ~~together~~
13 ~~with the penalty assessment, the jail assessment, the crime laboratories and drug~~
14 ~~law enforcement assessment, any applicable consumer protection assessment, and~~
15 ~~any applicable domestic abuse assessment plus costs, fees, and surcharges imposed~~
16 under ch. 814. If the court finds that the violation meets the conditions in s. 800.093
17 (1), the court may summon the alleged violator into court to determine if restitution
18 shall be ordered under s. 800.093. Any money remaining after payment of any
19 penalties, ~~assessments~~ surcharges, costs, fees, and restitution shall be refunded to
20 the person who made the deposit.

21 **SECTION 192.** 800.10 (2) of the statutes is amended to read:

22 800.10 (2) All forfeitures, fees, ~~penalty assessments, crime laboratories and~~
23 ~~drug law enforcement assessments, consumer protection assessments, domestic~~
24 ~~abuse assessments~~ surcharges, and costs paid to a municipal court under a judgment
25 before a municipal judge shall be paid to the municipal treasurer within 7 days after

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1 receipt of the money by a municipal judge or other court personnel. At the time of
2 the payment, the municipal judge shall report to the municipal treasurer the title of
3 the action, the offense for which a forfeiture was imposed and the total amount of the
4 forfeiture, fees, ~~penalty assessments, crime laboratories and drug law enforcement~~
5 ~~assessments, consumer protection assessments, domestic abuse assessments~~
6 surcharges, and costs, if any. The treasurer shall disburse the fees as provided in s.
7 814.65 (1). All jail assessments surcharges paid to a municipal court under a
8 judgment before a municipal judge shall be paid to the county treasurer within 7
9 days after receipt of the money by a municipal judge or other court personnel.

10 **SECTION 193.** 800.12 (2) of the statutes is amended to read:

11 800.12 (2) A municipality may by ordinance provide that a municipal judge
12 may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50
13 or, upon nonpayment of the forfeiture, ~~penalty assessment under s. 757.05, jail~~
14 ~~assessment under s. 302.46, crime laboratories and drug law enforcement~~
15 ~~assessment under s. 165.755, any applicable consumer protection assessment under~~
16 ~~s. 100.261, and any applicable domestic abuse assessment under s. 973.055 (1) plus~~
17 costs, fees, and surcharges imposed under ch. 814, a jail sentence not to exceed 7
18 days.

19 **SECTION 194.** Chapter 814 (title) of the statutes is amended to read:

20 **CHAPTER 814**

21 **COURT COSTS AND, FEES,**

22 **AND SURCHARGES**

23 **SECTION 195.** 814.60 (2) of the statutes is repealed and recreated to read:

24 814.60 (2) In addition to any fine imposed, a defendant shall pay the costs, fees,
25 and surcharges imposed under this chapter.

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1 **SECTION 196.** 814.63 (3) of the statutes is repealed and recreated to read:

2 814.63 (3) In addition to any forfeiture imposed, a defendant shall pay the
3 costs, fees, and surcharges imposed under this chapter.

4 **SECTION 197.** 814.634 (title) of the statutes is renumbered 814.85 (title) and
5 amended to read:

6 **814.85 (title) ~~Fee for court~~ Court support services surcharge.**

7 **SECTION 198.** 814.634 (1) (a) to (c) of the statutes are renumbered 814.85 (1)
8 (a) to (c) and amended to read:

9 814.85 (1) (a) Except for an action for a safety belt use violation under s. 347.48
10 (2m), the clerk of circuit court shall charge and collect a \$52 court support services
11 fee surcharge from any person, including any governmental unit, as defined in s.
12 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

13 (b) Notwithstanding par. (a), the clerk of circuit court shall charge and collect
14 a \$130 court support services fee surcharge from any person, including any
15 governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a)
16 or (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and
17 the amount claimed exceeds the amount under s. 799.01 (1) (d).

18 (c) Notwithstanding par. (a), the clerk of circuit court shall charge and collect
19 a \$39 court support services fee surcharge from any person, including any
20 governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.62 (3) (a)
21 or (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party
22 paying the fee seeks the recovery of money and the amount claimed is equal to or less
23 than the amount under s. 799.01 (1) (d).

24 **SECTION 199.** 814.634 (1) (d) of the statutes is renumbered 814.85 (1) (d) and
25 amended to read:

BILL

814.85 (1) (d) The court support services fee surcharge is in addition to the other fees listed in this subsection.

SECTION 200. 814.634 (2) of the statutes is renumbered 814.85 (2).

SECTION 201. 814.635 of the statutes is renumbered 814.86, and 814.86 (title), (1) and (1m), as renumbered, are amended to read:

814.86 (title) Justice information system fee surchARGE and special prosecution clerks fee surchARGE. (1) Except for an action for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$9 justice information system fee surchARGE from any person, including any governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am), 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system fee surchARGE is in addition to the ~~other fees~~ surchARGE listed in this section.

(1m) Beginning on October 1, 1995, whenever the clerk of circuit court for Milwaukee County charges and collects a fee surcharge under sub. (1), he or she shall also charge and collect a \$2 special prosecution clerks fee surcharge. The special prosecution clerks fee surcharge is in addition to the ~~other fees~~ surcharge listed in sub. (1).

SECTION 202. Subchapter III of chapter 814 [precedes 814.75] of the statutes is created to read:

CHAPTER 814

SUBCHAPTER III

SURCHARGES

814.75 Court-imposed surcharges. The following surcharges shall be imposed by the court, in addition to the fine or forfeiture and costs and fees imposed under this chapter, if applicable:

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1 (1) The consumer information surcharge under s. 100.261.

2 (2) The court support services surcharge under s. 814.85.

3 (3) The crime laboratories and drug law enforcement surcharge under s.
4 165.755.

5 (4) The crime prevention organization contribution surcharge under s. 753.40,
6 973.06 (1) (f), or 973.09 (1x).

7 (5) The crime victim and witness surcharge under s. 973.045.

8 (6) The delinquency victim and witness surcharge under s. 938.34 (8d) (a).

9 (7) The deoxyribonucleic acid analysis surcharge under s. 973.046.

10 (8) The domestic abuse surcharge under s. 971.37 (1m) (c) 1. or 973.055.

11 (9) The driver improvement surcharge under s. 346.655.

12 (10) The drug abuse program improvement surcharge under s. 961.41 (5).

13 (12) The environmental surcharge under s. 299.93.

14 (13) The fishing shelter removal surcharge under s. 29.985.

15 (14) The jail surcharge under s. 302.46 (1).

16 (15) The justice information system surcharge under s. 814.86 (1).

17 (16) The natural resources surcharge under s. 29.987 or 169.46 (1).

18 (17) The natural resources restitution surcharge under s. 29.989 or 169.46 (2).

19 (18) The penalty surcharge under s. 757.05.

20 (19) The railroad crossing improvement surcharge under s. 346.495.

21 (20) The restitution surcharge under s. 973.06 (1) (g) or 973.20 (11) (a).

22 (21) The snowmobile registration restitution surcharge under s. 350.115.

23 (22) The special prosecution clerks surcharge under s. 814.86 (1m).

24 (22m) The supplemental food enforcement surcharge under s. 253.06 (4) (c).

25 (23) The truck driver education surcharge under s. 349.04.

BILL

1 (24) The uninsured employer surcharge under s. 102.85 (4).

2 (25) The weapons surcharge under s. 167.31 (5).

3 (26) The wild animal protection surcharge under s. 29.983.

4 **814.76 Surcharges in criminal actions.** In addition to any fine imposed in
5 a criminal action, a defendant shall pay the following surcharges if applicable:

6 (1) The consumer information surcharge under s. 100.261.

7 (2) The crime laboratories and drug law enforcement surcharge under s.
8 165.755.

9 (3) The crime prevention organization contribution surcharge under s. 753.40,
10 973.06 (1) (f), or 973.09 (1x).

11 (4) The crime victim and witness surcharge under s. 973.045.

12 (5) The deoxyribonucleic acid analysis surcharge under s. 973.046.

13 (6) The domestic abuse surcharge under s. 971.37 (1m) (c) 1. or 973.055.

14 (7) The driver improvement surcharge under s. 346.655.

15 (8) The drug abuse program improvement surcharge under s. 961.41 (5).

16 (10) The environmental surcharge under s. 299.93.

17 (11) The jail surcharge under s. 302.46 (1).

18 (12) The natural resources surcharge under s. 29.987 or 169.46 (1).

19 (13) The natural resources restitution surcharge under s. 29.989 or 169.46 (2).

20 (14) The penalty surcharge under s. 757.05.

21 (15) The restitution surcharge under s. 973.06 (1) (g) or 973.20 (11) (a).

22 (15m) The supplemental food enforcement surcharge under s. 253.06 (4) (c).

23 (16) The truck driver education surcharge under s. 349.04.

24 (17) The uninsured employer surcharge under s. 102.85 (4).

25 (18) The weapons surcharge under s. 167.31 (5).

BILL

1 (19) The wild animal protection surcharge under s. 29.983.

2 **814.77 Surcharges in ch. 23 forfeiture actions.** In addition to any
3 forfeiture imposed in an action under s. 23.50, a defendant shall pay the following
4 surcharges if applicable:

5 (1) The court support services surcharge under s. 814.85.

6 (2) The crime laboratories and drug law enforcement surcharge under s.
7 165.755.

8 (3) The crime prevention organization contribution surcharge under s. 753.40,
9 973.06 (1) (f), or 973.09 (1x).

10 (4) The delinquency victim and witness surcharge under s. 938.34 (8d) (a).

11 (5) The environmental surcharge under s. 299.93.

12 (6) The fishing shelter removal surcharge under s. 29.985.

13 (7) The jail surcharge under s. 302.46 (1).

14 (8) The justice information system surcharge under s. 814.86 (1).

15 (9) The natural resources surcharge under s. 29.987 or 169.46 (1).

16 (10) The natural resources restitution surcharge under s. 29.989 or 169.46 (2).

17 (11) The penalty surcharge under s. 757.05.

18 (12) The snowmobile registration restitution surcharge under s. 350.115.

19 (13) The special prosecution clerks surcharge under s. 814.86 (1m).

20 (14) The weapons surcharge under s. 167.31 (5).

21 (15) The wild animal protection surcharge under s. 29.983.

22 **814.78 Surcharges in ch. 66 forfeiture actions.** In addition to any
23 forfeiture imposed in an action under s. 66.0113 or 66.0114, a defendant shall pay the
24 following surcharges if applicable:

25 (1) The consumer information surcharge under s. 100.261.

BILL

- 1 (2) The court support services surcharge under s. 814.85.
- 2 (3) The crime laboratories and drug law enforcement surcharge under s.
- 3 165.755.
- 4 (4) The crime prevention organization contribution surcharge under s. 753.40,
- 5 973.06 (1) (f), or 973.09 (1x).
- 6 (5) The delinquency victim and witness surcharge under s. 938.34 (8d) (a).
- 7 (7) The driver improvement surcharge under s. 346.655.
- 8 (8) The jail surcharge under s. 302.46 (1).
- 9 (9) The justice information system surcharge under s. 814.86 (1).
- 10 (10) The penalty surcharge under s. 757.05.
- 11 (11) The special prosecution clerks surcharge under s. 814.86 (1m).
- 12 (12) The truck driver education surcharge under s. 349.04.
- 13 **814.79 Surcharges in ch. 345 forfeiture actions.** In addition to any
- 14 forfeiture imposed in an action under s. 345.20, a defendant shall pay the following
- 15 surcharges if applicable:
- 16 (1) The court support services surcharge under s. 814.85.
- 17 (2) The crime laboratories and drug law enforcement surcharge under s.
- 18 165.755.
- 19 (3) The crime prevention organization contribution surcharge under s. 753.40,
- 20 973.06 (1) (f), or 973.09 (1x).
- 21 (4) The delinquency victim and witness surcharge under s. 938.34 (8d) (a).
- 22 (4m) The driver improvement surcharge under s. 346.655.
- 23 (5) The jail surcharge under s. 302.46 (1).
- 24 (6) The justice information system surcharge under s. 814.86 (1).
- 25 (7) The penalty surcharge under s. 757.05.

BILL

(8) The railroad crossing improvement surcharge under s. 346.495.

(9) The special prosecution clerks surcharge under s. 814.86 (1m).

(10) The truck driver education surcharge under s. 349.04.

814.80 Surcharges in ch. 778 forfeiture actions. In addition to any forfeiture imposed in an action under ch. 778, a defendant shall pay the following surcharges if applicable:

(1) The consumer information surcharge under s. 100.261.

(2) The court support services surcharge under s. 814.85.

(3) The crime laboratories and drug law enforcement surcharge under s. 165.755.

(4) The crime prevention organization contribution surcharge under s. 753.40, 973.06 (1) (f), or 973.09 (1x).

(5) The delinquency victim and witness surcharge under s. 938.34 (8d) (a).

(6) The domestic abuse surcharge under s. 971.37 (1m) (c) 1. or 973.055.

(7) The jail surcharge under s. 302.46 (1).

(8) The justice information system surcharge under s. 814.86 (1).

(9) The penalty surcharge under s. 757.05.

(10) The special prosecution clerks surcharge under s. 814.86 (1m).

(11) The supplemental food enforcement surcharge under s. 253.06 (4) (c).

814.81 Surcharges in ch. 800 forfeiture actions. In addition to any forfeiture imposed in an action under ch. 800, a defendant shall pay the following surcharges if applicable:

(1) The consumer information surcharge under s. 100.261.

(3) The crime laboratories and drug law enforcement surcharge under s. 165.755.

BILL

1 (4) The crime prevention organization contribution surcharge under s. 753.40,
2 973.06 (1) (f), or 973.09 (1x).

3 (6) The domestic abuse surcharge under s. 971.37 (1m) (c) 1. or 973.055.

4 (7) The jail surcharge under s. 302.46 (1).

5 (9) The penalty surcharge under s. 757.05.

6 **SECTION 203.** 938.237 (2) of the statutes is amended to read:

7 938.237 (2) The procedures for issuance and filing of a citation, and for
8 forfeitures, stipulations, and deposits in ss. 23.50 to 23.67, 23.75 (3) and (4), s.
9 66.0113, 778.25, 778.26, and 800.01 to 800.04 except s. 800.04 (2) (b), when the
10 citation is issued by a law enforcement officer, shall be used as appropriate, except
11 that this chapter shall govern taking and holding a juvenile in custody, s. 938.37 shall
12 govern costs, ~~penalty assessments and jail assessments~~ fees, and surcharges
13 imposed under ch. 814, and a capias shall be substituted for an arrest warrant.
14 Sections 66.0113 (3) (c) and (d), s. 66.0114 (1), and 778.10 as they relate to collection
15 of forfeitures do not apply.

16 **SECTION 204.** 938.37 (1) of the statutes is amended to read:

17 938.37 (1) A court assigned to exercise jurisdiction under this chapter and ch.
18 48 may not ~~assess impose costs, fees, or assessments~~ surcharges under ch. 814
19 against a juvenile under 14 years of age but, A court may assess impose costs, fees,
20 and surcharges under ch. 814 against a juvenile 14 years of age or older.

21 **SECTION 205.** 938.37 (3) of the statutes is amended to read:

22 938.37 (3) Notwithstanding sub. (1), courts of civil and criminal jurisdiction
23 exercising jurisdiction under s. 938.17 may assess the same costs, ~~penalty~~
24 ~~assessments and jail assessments~~ fees, and surcharges imposed under ch. 814

BILL

1 against juveniles as they may assess against adults, except that witness fees may not
2 be charged to the juvenile.

3 **SECTION 206.** 961.41 (5) (a) of the statutes is amended to read:

4 961.41 (5) (a) When a court imposes a fine for a violation of this section, it shall
5 also impose a drug abuse program improvement surcharge under ch. 814 in an
6 amount of 50% of the fine and penalty assessment surcharge imposed.

7 **SECTION 207.** 971.37 (1m) (c) 1. (intro.) of the statutes is amended to read:

8 971.37 (1m) (c) 1. (intro.) The agreement may provide as one of its conditions
9 that a person covered under sub. (1) (b) or (c) pay the domestic abuse assessment
10 surcharge under s. 973.055. Payments and collections under this subdivision are
11 subject to s. 973.055 (2) to (4), except as follows:

12 **SECTION 208.** 971.37 (1m) (c) 1. a. of the statutes is amended to read:

13 971.37 (1m) (c) 1. a. The district attorney shall determine the amount due. The
14 district attorney may authorize less than a full assessment surcharge if he or she
15 believes that full payment would have a negative impact on the offender's family.
16 The district attorney shall provide the clerk of circuit court with the information
17 necessary to comply with subd. 1. b.

18 **SECTION 209.** 973.05 (1) of the statutes is amended to read:

19 973.05 (1) When a defendant is sentenced to pay a fine, the court may grant
20 permission for the payment of the fine, ~~the penalty assessment imposed by s. 757.05,~~
21 ~~the jail assessment imposed by s. 302.46 (1), the crime victim and witness assistance~~
22 ~~surcharge under s. 973.045, the crime laboratories and drug law enforcement~~
23 ~~assessment imposed by s. 165.755, any applicable deoxyribonucleic acid analysis~~
24 ~~surcharge under s. 973.046, any applicable drug abuse program improvement~~
25 ~~surcharge imposed by s. 961.41 (5), any applicable consumer protection assessment~~

BILL

1 ~~imposed by s. 100.261, any applicable domestic abuse assessment imposed by s.~~
2 ~~971.37 (1m) (c) 1. or 973.055, any applicable driver improvement surcharge imposed~~
3 ~~by s. 346.655, any applicable truck driver education assessment imposed by s.~~
4 ~~349.04, any applicable enforcement assessment imposed by s. 253.06 (4) (c), any~~
5 ~~applicable weapons assessment imposed by s. 167.31, any applicable uninsured~~
6 ~~employer assessment imposed by s. 102.85 (4), any applicable environmental~~
7 ~~assessment imposed by s. 299.93, any applicable wild animal protection assessment~~
8 ~~imposed by s. 29.983, any applicable natural resources assessment imposed by s.~~
9 ~~29.987 or 169.46 (1), and any applicable natural resources restitution payment~~
10 ~~imposed by s. 29.989 or 169.46 (2) plus costs, fees, and surcharges imposed under ch.~~
11 ~~814, to be made within a period not to exceed 60 days. If no such permission is~~
12 ~~embodied in the sentence, the fine, the penalty assessment, the jail assessment, the~~
13 ~~crime victim and witness assistance surcharge, the crime laboratories and drug law~~
14 ~~enforcement assessment, any applicable deoxyribonucleic acid analysis surcharge,~~
15 ~~any applicable drug abuse program improvement surcharge, any applicable~~
16 ~~consumer protection assessment, any applicable domestic abuse assessment, any~~
17 ~~applicable driver improvement surcharge, any applicable truck driver education~~
18 ~~assessment, any applicable enforcement assessment, any applicable weapons~~
19 ~~assessment, any applicable uninsured employer assessment, any applicable~~
20 ~~environmental assessment, any applicable wild animal protection assessment, any~~
21 ~~applicable natural resources assessment, and any applicable natural resources~~
22 ~~restitution payment plus costs, fees, and surcharges imposed under ch. 814, shall be~~
23 ~~payable immediately.~~

24 **SECTION 210.** 973.05 (2) of the statutes is amended to read:

BILL

1 973.05 (2) When a defendant is sentenced to pay a fine and is also placed on
2 probation, the court may make the payment of the fine, ~~the penalty assessment, the~~
3 ~~jail assessment, the crime victim and witness assistance surcharge, the crime~~
4 ~~laboratories and drug law enforcement assessment, any applicable deoxyribonucleic~~
5 ~~acid analysis surcharge, any applicable drug abuse program improvement~~
6 ~~surcharge, any applicable consumer protection assessment, any applicable domestic~~
7 ~~abuse assessment, any applicable uninsured employer assessment, any applicable~~
8 ~~driver improvement surcharge, any applicable truck driver education assessment,~~
9 ~~any applicable enforcement assessment under s. 253.06 (4) (c), any applicable~~
10 ~~weapons assessment, any applicable environmental assessment, any applicable wild~~
11 ~~animal protection assessment, any applicable natural resources assessment, and~~
12 ~~any applicable natural resources restitution payments~~ plus costs, fees, and
13 surcharges imposed under ch. 814, a condition of probation. ~~When the payments are~~
14 ~~made a condition of probation by the court, payments thereon~~

15 (2m) Payments under this section shall be applied first to payment of the
16 ~~penalty assessment~~ surcharge until paid in full, shall then be applied to the payment
17 of the jail ~~assessment~~ surcharge until paid in full, shall then be applied to the
18 payment of part A of the crime victim and witness assistance surcharge until paid
19 in full, shall then be applied to part B of the crime victim and witness assistance
20 surcharge until paid in full, shall then be applied to the crime laboratories and drug
21 law enforcement ~~assessment~~ surcharge until paid in full, shall then be applied to the
22 deoxyribonucleic acid analysis surcharge until paid in full, shall then be applied to
23 the drug abuse program improvement surcharge until paid in full, shall then be
24 applied to payment of the driver improvement surcharge until paid in full, shall then
25 be applied to the truck driver education ~~assessment~~ surcharge if applicable until

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1 paid in full, shall then be applied to payment of the domestic abuse assessment
2 surchage until paid in full, shall then be applied to payment of the consumer
3 protection assessment surchage until paid in full, shall then be applied to payment
4 of the natural resources assessment surchage if applicable until paid in full, shall
5 then be applied to payment of the natural resources restitution payment surchage
6 until paid in full, shall then be applied to the payment of the environmental
7 assessment surchage if applicable until paid in full, shall then be applied to the
8 payment of the wild animal protection assessment surchage if applicable until paid
9 in full, shall then be applied to payment of the weapons assessment surchage until
10 paid in full, shall then be applied to payment of the uninsured employer assessment
11 surchage until paid in full, shall then be applied to payment of the enforcement
12 assessment surchage under s. 253.06 (4) (c), if applicable, until paid in full, and shall
13 then be applied to payment of the fine and the costs and fees imposed under ch. 814.

14 SECTION 211. 973.05 (3) (a) of the statutes is amended to read:

15 973.05 (3) (a) In lieu of part or all of a fine imposed by a court, the court may
16 stay the execution of part or all of the sentence and provide that the defendant
17 perform community service work under pars. (b) and (c). ~~The amount of the fine~~
18 ~~actually paid, if any, shall be used to determine any applicable assessment or~~
19 ~~surchage under sub. (1), except that any~~ Any applicable driver improvement
20 surcharge under s. 346.655 or any domestic abuse assessment imposed by surchage
21 under s. 973.055 shall be imposed under ch. 814 regardless of whether part or all of
22 the sentence has been stayed. If the defendant fails to comply with the community
23 service order, the court shall order the defendant brought before the court for
24 imposition of sentence. If the defendant complies with the community service order,
25 he or she has satisfied that portion of the sentence.

BILL

1 **SECTION 212.** 973.05 (4) of the statutes is amended to read:

2 973.05 (4) If a defendant fails to pay the fine, ~~assessment, surcharge or~~
3 ~~restitution payment, costs, or fees~~ within the period specified under sub. (1) or (1m),
4 the court may do any of the following:

5 (a) Issue a judgment for the unpaid amount and direct the clerk to file and
6 docket a transcript of the judgment, without fee. If the court issues a judgment for
7 the unpaid amount, the court shall send to the defendant at his or her last-known
8 address written notification that a civil judgment has been issued for the unpaid fine,
9 ~~assessment, surcharge or restitution payment, costs, or fees~~. The judgment has the
10 same force and effect as judgments docketed under s. 806.10.

11 (b) Issue an order assigning not more than 25% of the defendant's commissions,
12 earnings, salaries, wages, pension benefits, benefits under ch. 102, and other money
13 due or to be due in the future to the clerk of circuit court for payment of the unpaid
14 fine, ~~assessment, surcharge or restitution payment, costs, or fees~~. In this paragraph,
15 "employer" includes the state and its political subdivisions.

16 (c) Issue an order assigning lottery prizes won by a defendant whose name is
17 on the list supplied to the clerk of circuit court under s. 565.30 (5r) (a), for payment
18 of the unpaid fine, ~~assessment, surcharge or restitution payment, costs, or fees~~.

19 **SECTION 213.** 973.055 (1) (intro.) of the statutes is amended to read:

20 973.055 (1) (intro.) If a court imposes a sentence on an adult person or places
21 an adult person on probation, regardless of whether any fine is imposed, the court
22 shall impose a domestic abuse ~~assessment~~ surcharge under ch. 814 of \$50 for each
23 offense if:

24 **SECTION 214.** 973.055 (2) (a) of the statutes is amended to read:

BILL

1 973.055 (2) (a) If the ~~assessment~~ surcharges is imposed by a court of record, after
2 the court determines the amount due, the clerk of the court shall collect and transmit
3 the amount to the county treasurer as provided in s. 59.40 (2) (m). The county
4 treasurer shall then make payment to the state treasurer as provided in s. 59.25 (3)
5 (f) 2.

6 **SECTION 215.** 973.055 (2) (b) of the statutes is amended to read:

7 973.055 (2) (b) If the ~~assessment~~ surcharges is imposed by a municipal court,
8 after a determination by the court of the amount due, the court shall collect and
9 transmit the amount to the treasurer of the county, city, town, or village, and that
10 treasurer shall make payment to the state treasurer as provided in s. 66.0114 (1)
11 (bm).

12 **SECTION 216.** 973.055 (3) of the statutes is amended to read:

13 973.055 (3) All moneys collected from domestic abuse ~~assessments~~ surcharges
14 shall be deposited by the state treasurer in s. 20.435 (3) (hh) and utilized in
15 accordance with s. 46.95.

16 **SECTION 217.** 973.055 (4) of the statutes is amended to read:

17 973.055 (4) A court may waive part or all of the domestic abuse ~~assessment~~
18 surcharges under this section if it determines that the imposition of the full
19 ~~assessment~~ surcharges would have a negative impact on the offender's family.

20 **SECTION 218.** 973.06 (title) of the statutes is amended to read:

21 **973.06 (title) Costs, fees, and surcharges.**

22 **SECTION 219.** 973.06 (1) (intro.) of the statutes is amended to read:

23 973.06 (1) (intro.) Except as provided in s. 93.20, the costs, fees, and surcharges
24 taxable against the defendant shall consist of the following items and no others:

25 **SECTION 220.** 973.06 (1) (f) 1. (intro.) of the statutes is amended to read:

BILL

1 973.06 (1) (f) 1. (intro.) An amount determined by the court to make a
2 reasonable contribution surcharges to any of the following, if the court determines
3 that the person has the financial ability to make the contribution surcharges and the
4 contribution surcharges is appropriate:

5 **SECTION 221.** 973.06 (1) (f) 2. of the statutes is amended to read:

6 973.06 (1) (f) 2. If the court does require a person to make a contribution
7 surcharges to an organization or agency specified in subd. 1. but does not require the
8 person to pay any fine that may be imposed for the offense or court costs, the court
9 shall state on the record the reasons why it is not requiring the person to pay the fine
10 or court costs. ~~All contributions~~ contribution surcharges made under this paragraph
11 shall be made to the clerk of circuit court for distribution to the organization or
12 agency specified in subd. 1. The court may not order a person to make a contribution
13 surcharges under this paragraph to a crime prevention organization that has not
14 complied with the provisions of s. 757.17.

15 **SECTION 222.** 973.07 of the statutes is amended to read:

16 **973.07 Failure to pay fine, fees, surcharges, or costs or to comply with**
17 **certain community service work.** If the fine, plus costs, ~~penalty assessment, jail~~
18 ~~assessment, crime victim and witness assistance surcharge, crime laboratories and~~
19 ~~drug law enforcement assessment, applicable deoxyribonucleic acid analysis~~
20 ~~surcharges, applicable drug abuse program improvement surcharge, applicable~~
21 ~~consumer protection assessment, applicable domestic abuse assessment, applicable~~
22 ~~driver improvement surcharge, applicable truck driver education assessment,~~
23 ~~applicable enforcement assessment under s. 253.06 (4) (c), applicable weapons~~
24 ~~assessment, applicable uninsured employer assessment, applicable environmental~~
25 ~~assessment, applicable wild animal protection assessment, applicable natural~~

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1 ~~resources assessment, and applicable natural resources restitution payments fees,~~
2 ~~and surcharges imposed under ch. 814,~~ are not paid or community service work
3 under s. 943.017 (3) is not completed as required by the sentence, the defendant may
4 be committed to the county jail until the fine, costs, ~~penalty assessment, jail~~
5 ~~assessment, crime victim and witness assistance surcharge, crime laboratories and~~
6 ~~drug law enforcement assessment, applicable deoxyribonucleic acid analysis~~
7 ~~surcharge, applicable drug abuse program improvement surcharge, applicable~~
8 ~~consumer protection assessment, applicable domestic abuse assessment, applicable~~
9 ~~driver improvement surcharge, applicable truck driver education assessment,~~
10 ~~applicable enforcement assessment under s. 253.06 (4) (e), applicable weapons~~
11 ~~assessment, applicable uninsured employer assessment, applicable environmental~~
12 ~~assessment, applicable wild animal protection assessment, applicable natural~~
13 ~~resources assessment or applicable natural resources restitution payments fees, and~~
14 ~~surcharges~~ are paid or discharged, or the community service work under s. 943.017
15 (3) is completed, for a period fixed by the court not to exceed 6 months.

16 **SECTION 223.** 973.09 (1x) of the statutes is amended to read:

17 973.09 (1x) (a) If the court places a person on probation, the court may require,
18 under ch. 814, that the probationer make a contribution surcharge to an organization
19 or agency specified in s. 973.06 (1) (f) 1. if the court determines that the probationer
20 has the financial ability to make the contribution surcharge.

21 (b) If the court does require a person to make a contribution surcharge to an
22 organization or agency specified in s. 973.06 (1) (f) 1. but does not require the person
23 to pay any fine that may be imposed for the offense or court costs, the court shall state
24 on the record the reasons why it is not requiring the person to pay the fine or court
25 costs. ~~All contributions~~ contribution surcharges made under this subsection shall be

BILL

SECTION 223

1 made to the clerk of circuit court for distribution to the organization or agency
2 specified in s. 973.06 (1) (f) 1. The court may not require a person to make a
3 contribution surchage under this subsection to an organization or agency specified
4 in s. 973.06 (1) (f) 1. that has not complied with the provisions of s. 757.17.

5 **SECTION 224.** 973.20 (11) (a) of the statutes is amended to read:

6 973.20 (11) (a) Except as otherwise provided in this paragraph, the restitution
7 order shall require the defendant to deliver the amount of money or property due as
8 restitution to the department for transfer to the victim or other person to be
9 compensated by a restitution order under this section. If the defendant is not placed
10 on probation or sentenced to prison, the court may order that restitution be paid to
11 the clerk of court for transfer to the appropriate person. The court shall ~~require~~
12 impose on the defendant to pay a restitution surcharge under ch. 814 equal to 5% of
13 the total amount of any restitution, costs ~~and~~, attorney fees ~~and any, court fees~~, fines,
14 ~~and related payments~~ surcharges ordered under s. 973.05 (1) and imposed under ch.
15 814, which shall be paid to the department or the clerk of court for administrative
16 expenses under this section.

17 **SECTION 225.** 973.20 (12) (a) of the statutes is amended to read:

18 973.20 (12) (a) If the court orders restitution in addition to the payment of fines,
19 ~~related payments~~ costs, fees, and surcharges under ~~s. ss.~~ 973.05 and ~~costs under s.~~
20 973.06 and ch. 814, it shall set the amount of fines, ~~related payments and costs, fees,~~
21 and surcharges in conjunction with the amount of restitution and issue a single
22 order, signed by the judge, covering all of the payments. If the costs for legal
23 representation by a private attorney appointed under s. 977.08 are not established
24 at the time of issuance of the order, the court may revise the order to include those
25 costs at a later time.

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SECTION 226. 973.20 (12) (b) of the statutes is amended to read:

973.20 (12) (b) Except as provided in par. (c), payments shall be applied first to satisfy the ordered restitution in full, then to pay any fines or ~~related payments~~ surcharges under s. 973.05, then to pay costs, fees, and surcharges under ch. 814 other than attorney fees and finally to reimburse county or state costs of legal representation.

SECTION 227. Initial applicability.

(1) This act first applies to actions commenced on the effective date of this subsection.

SECTION 228. Effective date.

(1) This act takes effect on January 1, 2004, or on the day after publication, whichever is later.

(END)

Barman, Mike

From: Willett, Kelley
Sent: Tuesday, June 17, 2003 4:56 PM
To: LRB.Legal
Subject: Draft review: LRB 03-2368/1 Topic: Surcharges and assessments

It has been requested by <Willett, Kelley> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-2368/1 Topic: Surcharges and assessments